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LEGISLATIVE HISTORY

Public Law 534--78th Congress

Chapter 665--2d Session

H. R. 4485

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DIGEST OF PUBLIC LAW 534

FLOOD CONTROL AUTHORIZATIONS. Authorizes various Agriculture Department post-war projects. Reauthorizes for post-war use, the \$10,000,000 authorization in Sec. 7 of the Flood Control Act of 1938, and authorizes use of \$100,000 by the Agriculture Department to safeguard life and property in flood emergencies. Provides that, in connection with Agriculture Department projects, lands may be acquired, but only with the consent of the States and with payments in lieu of taxes. Authorizes comprehensive plans for the development of the Missouri River Basin as proposed in S. Doc. 247 - 78th Cong., and authorizes \$200,000,000 each for the War and Interior Departments to carry out part of this work. Provides for State approval in determining watershed development and for State review of War and Interior reports.

INDEX AND SUMMARY OF HISTORY ON H. R. 4485

May 13, 1943	Hearings: House, H. R. 4485, Vol. 1.
February 1, 1944	Hearings: House, H. R. 4485, Vol. 11.
March 27, 1944	H. R. 4485 was introduced by Rep. Whittington and was referred to the House Comm. on Flood Control. Print of the bill as introduced.
March 29, 1944	House Committee reported H. R. 4485 without amendment. House Report 1309. Print of the bill as reported.
May 8, 1944	House debate on H. R. 4485.
May 9, 1944	House debate concluded. Passed H. R. 4485 with amendments.
May 10, 1944	H. R. 4485 was referred to the Senate Committee on Commerce. Print of the bill as referred.
	Remarks of Reps. Sparkman, Allen, and Dirksen.
May 12, 1944	Amendments proposed by Senator Downey. Prints of the amendments.
May 19, 1944	Amendment proposed by Senator Nye. Print of the amendment.
May 29, 1944	Amendment proposed by Senator Butler. Print of the amendment.
	Hearings: Senate, H. R. 4485.
June 5, 1944	Amendment proposed by Senator Wallgren. Print of the amendment.
June 22, 1944	Senate Committee reported H. R. 4485 with amendments. Senate Report 1030. (Print of the bill as reported, not available)
August 9, 1944	Amendment proposed by Senator Hayden. Print of the amendment.
August 22, 1944	Discussed in the Senate.
August 28, 1944	Amendment proposed by Senator Nead. Print of the amendment.
September 8, 1944	Amendment proposed by Senator Aiken with discussion. Print of the amendment.

September 15, 1944	Amendment proposed by Senator Shipstead. Print of the amendment.
September 19, 1944	Amendment proposed by Senator Taft with discussion in the Senate. Print of the amendment.
September 21, 1944	Amendment proposed by Senator Aiken and others. Print of the amendment.
November 21, 1944	Senate began debate. Amendments proposed by Senators Pailey, O'Mahoney and others. Prints of the amendments.
November 22, 1944	Debate continued. Amendments proposed by Senators Murray, Maloney, and Langer. Prints of the amendments.
November 24, 1944	Debate continued. Amendments proposed by Senators Burton, O'Mahoney and others. Prints of the amendments.
November 27, 1944	Debate continued. Amendments proposed by Senator Cordon. Prints of the amendments.
November 28, 1944	Debate continued.
November 29, 1944	Debate continued. Amendment proposed by Senator Murray. Print of the amendment.
November 30, 1944	Debate continued.
December 1, 1944	Debate concluded. Passed the Senate with amendments. Senate Conferees appointed. House Conferees appointed.
December 4, 1944	Print of H. R. 4485 with the amendments of the Senate numbered.
December 11, 1944	House received the Conference Report. House Report 2051.
December 12, 1944	House and Senate agreed to the Conference Report.
December 22, 1944	Approved. Public Law 534.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued March 28, 1944, for actions of Monday, March 27, 1944)

(For staff of the Department only)

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SENATE

1. FIRST DEFICIENCY APPROPRIATION BILL. Appropriations Committee reported with amendments this bill, H. R. 4346 (Rept. No. not available). The Committee added \$74,000 for BPISAE to develop and improve sugarcane-production machinery; \$39,436,884.93 to restore CCC's capital impairment; \$4,000,000 for continuation of the Office of Education's program for training persons in food processing, farm production, etc.; \$212,000 (total in this bill would then be \$312,000) as an increase in CCC's administrative-expense authorization; and a provision that community ceiling price orders and schedules not be printed in the Federal Register. The community-facilities item was cut by \$15,000,000. (For other provisions of the bill, see Digests 43, 45, and 46. These items include overtime pay, Forest Service, and Office of Labor.)

NOT IN SESSION. Next meeting Tues., Mar. 28.

HOUSE

2. A.A.A.; SELECTIVE SERVICE; GASOLINE RATIONING. Rep. Tarver, Ga., inserted Judge Jones' letter and statement on the Harness amendment relating to alleged activities of AAA field personnel in connection with selective service deferments and gasoline rationing (pp. 3155-6).
3. SCHOOL-LUNCH PROGRAM. Rep. Church, Ill., claimed that the Cook County (Ill.) Democratic organization was "penny snatching" in the Chicago school-lunch program (pp. 3181-4).
4. OILSEED-MEAL DISTRIBUTION. Rep. Smith, Wis., criticized WFA's administration of the oilseed-meal distribution program (pp. 3154, A1632-3).
5. VETERANS; FARM LOANS. Rep. Rogers, Mass., stated that S. 1767 (providing for Federal Government aid for the readjustment in civilian life of returning veterans from World War 2, including a provision for loans to veterans for the purchase of farms and equipment) would not be taken up this week, urged early enactment of such legislation, and inserted the Senate Committee report on this bill (pp. 3184-94).

6. PERSONNEL; TAXATION. Passed with amendments H.R. 3592, to relieve Federal employees from multiple State income taxes on their salaries and to permit only the State in which such employee is domiciled to levy such tax (pp. 3159-64, 3171-8).

Civil Service Committee reported the following bills: H.R. 4115, to give veterans and their dependents preference in employment where Federal funds are disbursed (with amendment) (H.Rept. 1289); H.R. 4292, to amend Sec. 12 (b) of the Civil Service Retirement Act with respect to return of amounts deducted from salaries (with amendment) (H.Rept. 1290); and H.R. 4320, relating to the computation of interest on contributions to the civil-service retirement fund returned to separated employees (without amendment) (H. Rept. 1291) (p. 3194).

7. WAR-PROGRAM INVESTIGATION. Rep. Smith, Wis., urged early and favorable consideration of his H.Con.Res. 74, providing for a Joint Congressional Committee on the Conduct of the War (pp. 3164-6).

8. FLOOD CONTROL. Received a War Department flood-control survey report on the Yazoo River, Miss. (H.Doc. 516). To Flood Control Committee. (p. 3194)

9. TENNESSEE VALLEY AUTHORITY. Rep. Priest, Tenn., discussed "T.V.A. financing which may be of interest because of action taken in another body" (pp. 3179-81).

BILLS INTRODUCED

10. FLOOD CONTROL. By Rep. Whittington, Miss., H.R. 4485, authorizing the construction of certain public works on rivers and harbors for flood control. To Flood Control Committee. (p. 3195.)

By Rep. Mills, Ark., H.R. 4494, to provide for the construction, maintenance, and operation of flood-control and navigation improvements, including dams, reservoirs, and allied structures, in the basins of the Arkansas and White Rivers, and for the disposition of surplus electric energy generated by the Federal flood-control and navigation improvements in the basins of such rivers. To Rivers and Harbors Committee. (p. 3195.)

11. FOREIGN TRADE. By Rep. McMurray, Wis., H.R. 4493, to promote the trade and commerce of U.S. and to promote trade and commerce among the nations of the world. To Interstate and Foreign Commerce Committee. (p. 3195.)

12. INFORMATION. By Rep. Hoffman, Mich., H.Res. 485, requesting information from the Secretary of Agriculture. (p. 3195.) To Agriculture Committee.

13. JUDICIARY. By Rep. Kefauver, Tenn., H.R. 4487, to authorize the designation of retired justices for service on the U.S. Supreme Court when necessary to obtain a quorum. To Judiciary Committee. (p. 3195.)

14. STANDARD TIME. By Rep. Cannon, Mo., H.R. 4489, to restore standard time. To Interstate and Foreign Commerce Committee. (p. 3195.)

15. CROP INSURANCE. By Rep. Fulmer, S.C., (see Digest 51) H.R. 4426, to amend the Federal Crop Insurance Act by providing for wheat and cotton insurance beginning in 1945 and for insurance on tobacco, rice, and commercial-area field corn beginning in 1946; providing for coverage of not over 75% of investment, except in the case of wheat, which would continue to be based largely on yield; prohibiting insurance in a county unless at least 100 farms or 1/3 of its farms are to be insured; and providing for county balances if premiums exceed indemnities, such balances to be used in case indemnities exceed premiums later. To Agriculture Committee.

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1944

Mr. WHITTINGTON introduced the following bill; which was referred to the
Committee on Flood Control

A BILL

Authorizing the construction of certain public works on rivers
and harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the words "flood control" as used in section 1 of the
4 Act of June 22, 1936, shall be construed to include channel
5 and major drainage improvements, and that hereafter Federal
6 investigations and improvements of rivers and other water-
7 ways for flood control and allied purposes shall be under
8 the jurisdiction of and shall be prosecuted by the War De-
9 partment under the direction of the Secretary of War and
10 supervision of the Chief of Engineers, and Federal investi-
11 gations of watersheds and measures for run-off and water-

1 flow retardation and soil-erosion prevention on watersheds
2 shall be under the jurisdiction of and shall be prosecuted
3 by the Department of Agriculture under the direction of the
4 Secretary of Agriculture, except as otherwise provided by
5 Act of Congress.

6 SEC. 2. That section 3 of the Act approved June 22,
7 1936 (Public, Numbered 738, Seventy-fourth Congress), as
8 amended by section 2 of the Act approved June 28, 1938
9 (Public, Numbered 761, Seventy-fifth Congress), shall apply
10 to all works authorized in this Act, except that for any chan-
11 nel improvement or channel rectification project provisions
12 (a), (b), and (c) of section 3 of said Act of June 22, 1936,
13 shall apply thereto, and except as otherwise provided by
14 law: *Provided*, That the authorization for any flood-control
15 project herein adopted requiring local cooperation shall expire
16 five years from the date on which local interests are notified
17 in writing by the War Department of the requirements of
18 local cooperation, unless said interests shall within said time
19 furnish assurances satisfactory to the Secretary of War that
20 the required cooperation will be furnished.

21 SEC. 3. In order to fully utilize dam and reservoir areas
22 under the control of the War Department, the Chief of
23 Engineers, under the supervision of the Secretary of War,
24 is authorized to construct, maintain, and operate recreation,
25 conservation, and other facilities thereat advantageous to the

1 interests of the United States, or to permit the construction,
2 maintenance, and operation of such facilities. The Secretary
3 of War is authorized to grant leases of lands, structures, or
4 facilities in said areas for such periods and upon such terms
5 as he may deem reasonable. All moneys received for such
6 leases or privileges shall be deposited in the Treasury of the
7 United States as miscellaneous receipts.

8 SEC. 4. That the Secretary of War is authorized to sell
9 to States, municipalities, private concerns, or individuals, at
10 such prices and on such terms as he may deem reasonable,
11 for domestic and industrial uses surplus water that may be
12 available at any reservoir under the control of the War
13 Department. All moneys received from such sales shall be
14 deposited in the Treasury of the United States as miscel-
15 laneous receipts.

16 SEC. 5. Hereafter, it shall be the duty of the Secretary
17 of War to prescribe regulations for the use of storage avail-
18 able for flood control or navigation at all reservoirs con-
19 structed wholly or in part with Federal funds provided on the
20 basis of such purposes, and the operation of any such project
21 shall be in accordance with such regulations.

22 SEC. 6. Hereafter, whenever in the opinion of the Secre-
23 tary of War and the Chief of Engineers any dam and reservoir
24 project operated under the direction of the Secretary of
25 War can be consistently used for reclamation of arid lands,

1 it shall be the duty of the Secretary of the Interior to pre-
2 scribe regulations for the use of the storage available for
3 such purpose, and the operation of any such project shall
4 be in accordance with such regulations. Such rates, as the
5 Secretary of the Interior may deem reasonable, shall be
6 charged for the use of said stored water; the moneys re-
7 ceived to be deposited into the Treasury to the credit of
8 miscellaneous receipts.

9 SEC. 7. That the following works of improvement for
10 the benefit of navigation and the control of destructive flood
11 waters and other purposes are hereby adopted and author-
12 ized in the interest of the national security and with a view
13 toward providing an adequate reservoir of useful and worthy
14 public works for the post-war construction program, to be
15 prosecuted under the direction of the Secretary of War and
16 supervision of the Chief of Engineers in accordance with the
17 plans in the respective reports hereinafter designated and
18 subject to the conditions set forth therein: *Provided*, That
19 the necessary plans, specifications, and preliminary work
20 may be prosecuted during the war, with funds from appro-
21 priations heretofore or hereafter made for flood control, so
22 as to be ready for rapid inauguration of a post-war program
23 of construction: *Provided further*, That when the existing
24 critical situation with respect to materials, equipment, and
25 manpower no longer exists, and in any event not later than

1 immediately following the cessation of hostilities in the
2 present war, the projects herein authorized shall be initiated
3 as expeditiously as may be consistent with budgetary re-
4 quirements and shall be prosecuted vigorously during the
5 period of post-war reconversion: *And provided further*, That
6 penstocks and other similar facilities adapted to possible
7 future use in the development of hydroelectric power shall
8 be installed in any dam herein authorized when approved
9 by the Secretary of War on the recommendation of the
10 Chief of Engineers and the Federal Power Commission.

11 CONNECTICUT RIVER BASIN

12 In addition to previous authorizations, there is hereby
13 authorized to be appropriated the sum of \$30,000,000 for
14 the prosecution of the comprehensive plan approved in the
15 Act of June 28, 1938, as modified by the Act approved
16 August 18, 1941, for the Connecticut River Basin: *Provided*,
17 That neither this authorization nor previous authorizations
18 shall be construed to authorize the construction of a high
19 dam at the Williamsville site.

20 THAMES RIVER BASIN

21 In addition to previous authorizations, there is hereby
22 authorized the completion of the plan approved in the Act
23 of August 18, 1941, for the Thames River Basin at an
24 estimated cost of \$7,200,000.

1 HOUSATONIC RIVER BASIN

2 The project for the Thomaston Reservoir on the Nauga-
3 tuck River, for flood control in the Housatonic River
4 Basin, Connecticut, is hereby authorized substantially in
5 accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 338, Seventy-
7 seventh Congress, first session, at an estimated cost of
8 \$5,151,000.

9 SUSQUEHANNA RIVER BASIN

10 The project authorized by the Act of June 22, 1936,
11 to provide for local protection works on the Susquehanna
12 River at Harrisburg, Pennsylvania, is hereby modified sub-
13 stantially in accordance with the recommendations of the
14 Chief of Engineers in House Document Numbered 702,
15 Seventy-seventh Congress, second session, at an estimated
16 cost of \$2,227,000.

17 The project for flood protection at Tyrone, Pennsyl-
18 vania, on the Little Juniata River, Pennsylvania, is hereby
19 authorized substantially in accordance with the recommenda-
20 tions of the Chief of Engineers in House Document Num-
21 bered 702, Seventy-seventh Congress, second session, at an
22 estimated cost of \$1,392,000.

23 The plan for flood control in southern New York and
24 eastern Pennsylvania authorized by the Act of June 22,
25 1936, as modified by the Act of August 18, 1941, is hereby

1 further modified to include the South Plymouth and Gene-
2 gantslet Reservoirs on tributaries of the Chenango River
3 substantially in accordance with the recommendations of the
4 Chief of Engineers in House Document Numbered 702,
5 Seventy-seventh Congress, second session, at an estimated
6 additional cost of \$4,755,000.

7 The plan for the Raystown Reservoir on the Raystown
8 Branch of the Juniata River, Pennsylvania, for flood con-
9 trol and other purposes, substantially in accordance with
10 the recommendations of the Chief of Engineers in House
11 Document Numbered 702, Seventy-seventh Congress, sec-
12 ond session, is approved, and there is hereby authorized to
13 be appropriated the sum of \$2,000,000 for the initiation
14 and partial accomplishment thereof.

15 MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

16 In addition to previous authorizations, there is hereby
17 authorized the completion of the Allatoona Reservoir on the
18 Etowah River, Georgia, approved in the Act of August 18,
19 1941, at an estimated cost of \$14,400,000.

20 . LOWER MISSISSIPPI RIVER

21 The project for flood control and improvement of the
22 Lower Mississippi River adopted by the Act of May 15,
23 1928, as amended by subsequent Acts of Congress, is
24 hereby modified in accordance with the recommendations
25 of the Chief of Engineers in House Document Numbered 509,

1 Seventy-eighth Congress, second session, and, as modified,
2 is hereby adopted and there is hereby authorized to be
3 appropriated, in addition to the sums previously authorized,
4 \$200,000,000 for the accomplishment of the purposes set
5 forth in said document.

6 The project for flood control on the Boeuf and Tensas
7 Rivers and Bayou Macon, Arkansas and Louisiana, is hereby
8 authorized substantially in accordance with the recommenda-
9 tions of the Chief of Engineers in Senate Document Num-
10 bered 151, Seventy-eighth Congress, second session, at an
11 estimated cost of \$5,013,000.

12 The project for flood control on the Big Sunflower, Little
13 Sunflower, Hushpuckena, and Quiver Rivers and their tribu-
14 taries, and on Hull Brake-Mill Creek Canal, Bogue Phalia,
15 Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi,
16 is hereby authorized substantially in accordance with the
17 recommendations of the Chief of Engineers in House Docu-
18 ment Numbered 516, Seventy-eighth Congress, second
19 session, at an estimated cost of \$3,752,000.

20 The project for flood protection in the backwater area
21 of the Yazoo River authorized in the Flood Control Act of
22 August 18, 1941, is hereby amended to authorize the Chief
23 of Engineers, in his discretion, to include improvements for
24 the protection of the Satartia area at an estimated additional

1 cost of \$1,061,000 or, in his discretion, to include improve-
2 ments for the protection of the Satartia area plus its extension
3 at an estimated additional cost of \$1,952,000.

4 RED-OUACHITA RIVER BASIN

5 In addition to previous authorizations, there is hereby
6 authorized the completion of the plan approved in the Act of
7 August 18, 1941, for the Little Missouri River in Arkansas,
8 at an estimated cost of \$3,800,000.

9 ARKANSAS RIVER BASIN

10 In addition to previous authorizations, there is hereby
11 authorized to be appropriated the sum of \$35,000,000 for
12 the prosecution of the comprehensive plan approved in the
13 Act of June 28, 1938, as modified by the Act approved
14 August 18, 1941, for the Arkansas River Basin.

15 The projects for local flood protection on the Arkansas
16 River are hereby modified and authorized substantially in
17 accordance with the recommendations of the Chief of
18 Engineers in House Document Numbered 447, Seventy-
19 eighth Congress, second session, at an estimated additional
20 cost of \$10,299,400.

21 The project on tributaries of the Fountaine Que Bouille
22 River for flood protection at Colorado Springs, Colorado, is
23 hereby authorized substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 186, Seventy-eighth Congress, first session, at an
2 estimated cost of \$500,000.

3 The project on Purgatoire River for local flood protection
4 at Trinidad, Colorado, is hereby authorized substantially in
5 accordance with the recommendations of the Chief of Engi-
6 neers in House Document Numbered 387, Seventy-eighth
7 Congress, second session, at an estimated cost of \$909,000.

8 WHITE RIVER BASIN

9 In addition to previous authorizations, there is hereby
10 authorized to be appropriated the sum of \$45,000,000 for
11 the prosecution of the comprehensive plan approved in the
12 Act of June 28, 1938, as modified by the Act approved
13 August 18, 1941, for the White River Basin.

14 UPPER MISSISSIPPI RIVER BASIN

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$10,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of June 28, 1938, for the Upper Mississippi River
19 Basin.

20 The project authorized by the Act of June 22, 1936,
21 for local flood protection on the Mississippi River at the
22 Sainte Genevieve Levee District Numbered 1, Missouri, is
23 hereby modified substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 727, Seventy-seventh Congress, second session,
2 at an estimated cost of \$141,000.

3 The project on the Mississippi River for local flood pro-
4 tection at Sabula, Iowa, is hereby authorized substantially
5 in accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 328, Seventy-
7 seventh Congress, first session, at an estimated cost of
8 \$25,000.

9 The project on the Galena River, for local flood protec-
10 tion at Galena, Illinois, is hereby authorized substantially in
11 accordance with the recommendations of the Chief of Engi-
12 neers in House Document Numbered 336, Seventy-seventh
13 Congress, first session, at an estimated cost of \$300,000.

14 The project for flood control on the Illinois River is
15 hereby authorized substantially in accordance with the recom-
16 mendations of the Chief of Engineers in House Document
17 Numbered 692, Seventy-seventh Congress, second session,
18 at an estimated cost of \$111,500.

19 The project on Elk Creek and Turkey River for local
20 flood protection at Elkport, Iowa, is hereby authorized sub-
21 stantially in accordance with the recommendations of the
22 Chief of Engineers in House Document Numbered 700,
23 Seventy-seventh Congress, second session, at an estimated
24 cost of \$13,000.

1 RED RIVER OF THE NORTH BASIN

2 The projects for flood control for Red Lake River, Min-
3 nesota, including Clearwater River, Minnesota, are hereby
4 authorized substantially in accordance with the recommenda-
5 tions of the Chief of Engineers in House Document Numbered
6 345, Seventy-eighth Congress, first session, at an estimated
7 cost of \$902,940.

8 MISSOURI RIVER BASIN

9 The general comprehensive plan for flood control and
10 other purposes in the Missouri River Basin approved by the
11 Act of June 28, 1938, as modified by subsequent Acts, is
12 hereby expanded to include the plan of improvement for
13 flood control, irrigation, power development, navigation, and
14 other purposes, substantially in accordance with the recom-
15 mendations of the Chief of Engineers in House Document
16 Numbered 475, Seventy-eighth Congress, second session;
17 and as expanded is approved; and, in addition to previous
18 authorizations, there is hereby authorized to be appropriated
19 the sum of \$200,000,000 for the partial accomplishment of
20 the comprehensive plan as modified and expanded: *Provided,*
21 That nothing in this Act shall be construed as creating below
22 Sioux City any demand upon the water resources of the
23 Missouri River Basin above Sioux City in excess of that
24 now authorized by existing law: *And provided further,* That
25 portions of the storage authorized for the main stem of the

1 river shall be placed on tributaries if the Secretary of War
2 and the Chief of Engineers find such action advisable for silt
3 control and in order to make more water readily available
4 for agricultural and industrial use without impairment of
5 flood control below Sioux City and without increasing the
6 authorized limit of cost.

7 The project adopted by the Act of June 22, 1936, to
8 provide flood protection for the Kansas Citys, Kansas and
9 Missouri, is hereby modified and extended to provide for
10 improvement substantially in accordance with the recom-
11 mendations of the Chief of Engineers in House Document
12 Numbered 342, Seventy-eighth Congress, first session, at an
13 estimated additional cost for the modified project of
14 \$8,445,000.

15 In addition to previous authorizations, there is hereby
16 authorized the completion of the plan approved in the Act
17 of August 18, 1941, for Cherry Creek and tributaries, Colo-
18 rado, at an estimated cost of \$7,500,000.

19 The project on Knife River for local flood control at
20 Beulah, North Dakota, is hereby authorized substantially in
21 accordance with the recommendations of the Chief of Engi-
22 neers in House Document Numbered 252, Seventy-eighth
23 Congress, first session, at an estimated cost of \$26,100.

24 The project on Knife River for local flood control at
25 Hazen, North Dakota, is hereby authorized substantially in

1 accordance with the recommendations of the Chief of
2 Engineers in House Document Numbered 252, Seventy-
3 eighth Congress, first session, at an estimated cost of \$6,600.

4 The project on Milk River adopted by the Act of June
5 22, 1936, to provide local flood protection at Harlem, Mon-
6 tana, is hereby modified substantially in accordance with the
7 recommendations of the Chief of Engineers in Senate Docu-
8 ment Numbered 103, Seventy-eighth Congress, first session,
9 at an estimated cost of \$21,100.

10 The project on Milk River for local flood protection at
11 Havre, Montana, is hereby authorized substantially in accord-
12 ance with the recommendations of the Chief of Engineers in
13 Senate Document Numbered 103, Seventy-eighth Congress,
14 first session, at an estimated cost of \$313,100.

15 The project on Boyer River for local flood control on
16 East Fork of Boyer River at Denison, Iowa, is hereby
17 authorized substantially in accordance with the recommenda-
18 tions of the Chief of Engineers in House Document Numbered
19 254, Seventy-eighth Congress, first session, at an estimated
20 cost of \$17,830.

21 The project on Nishnabotna River for local flood control
22 at Hamburg, Iowa, is hereby authorized substantially in ac-
23 cordance with the recommendations of the Chief of Engineers
24 in House Document Numbered 253, Seventy-eighth Con-
25 gress, first session, at an estimated cost of \$236,000.

1 The project on Bear Creek for local flood protection at
2 Morrison, Colorado, is hereby authorized substantially in
3 accordance with recommendations of the Chief of Engineers
4 in House Document Numbered 356, Seventy-eighth Con-
5 gress, first session, at an estimated cost of \$220,000.

6 OHIO RIVER BASIN

7 In addition to previous authorizations, there is hereby
8 authorized to be appropriated the sum of \$70,000,000 for
9 the prosecution of the comprehensive plan approved in the
10 Act of June 28, 1938, as modified by the Act approved
11 August 18, 1941, for the Ohio River Basin, including the
12 following projects in tributary basins, namely:

13 The local flood protection works in the Lake Chautauqua
14 and Chadakoin River area, substantially in accordance with
15 the recommendations of the Chief of Engineers in House
16 Document Numbered 685, Seventy-seventh Congress, sec-
17 ond session, at an estimated cost of \$135,500;

18 The local flood protection works at Dillonvale and
19 Adena on Short Creek, Ohio, substantially in accordance
20 with the recommendations of the Chief of Engineers in
21 House Document Numbered 889, Seventy-seventh Congress,
22 second session, at an estimated cost of \$158,200;

23 The local flood protection works at Taylorsville on Salt
24 River, Kentucky, substantially in accordance with the recom-
25 mendations of the Chief of Engineers in Senate Document

1 Numbered 105, Seventy-eighth Congress, first session, at
2 an estimated cost of \$129,350;

3 The local flood protection works at Latrobe on Loyal-
4 hanna Creek, Pennsylvania, substantially in accordance with
5 the recommendations of the Chief of Engineers in House
6 Document Numbered 444, Seventy-eighth Congress, second
7 session, at an estimated cost of \$112,500;

8 The Burr Oak Reservoir on the Hocking River, Ohio,
9 substantially in accordance with the recommendations of the
10 Chief of Engineers in House Document Numbered 762,
11 Seventy-seventh Congress, second session, at an estimated
12 cost of \$400,000;

13 The Rowlesburg Reservoir on the Cheat River, sub-
14 stantially in accordance with the recommendations of the
15 Chief of Engineers in the report submitted to Congress by
16 the Secretary of War on November 26, 1942, at an esti-
17 mated cost of \$29,230,000; and

18 The improvement in the Youghiogheny River Basin,
19 substantially in accordance with the recommendations of the
20 Chief of Engineers in a report submitted to Congress by the
21 Secretary of War on March 29, 1943, at an estimated cost
22 of \$37,970,000.

23 GREAT LAKES BASIN

24 The project for the Panther Mountain Reservoir on
25 Moose River, New York, is hereby authorized substantially

1 in accordance with the recommendations of the Chief of
2 Engineers in House Document Numbered 405, Seventy-
3 seventh Congress, first session, at an estimated cost of
4 \$600,000.

5 The project for flood control on Chittenango Creek and
6 tributaries, New York, is hereby authorized substantially
7 in accordance with the recommendations of the Chief of
8 Engineers in House Document Numbered 625, Seventy-
9 seventh Congress, second session, at an estimated cost of
10 \$111,000.

11 The projects for flood control on Owasco Inlet and Outlet,
12 Montville and Dry Creeks, State Ditch, and Crane Brook,
13 New York, are hereby authorized substantially in accordance
14 with the recommendations of the Chief of Engineers in
15 House Document Numbered 815, Seventy-seventh Congress,
16 second session, at an estimated cost of \$64,200.

17 COLORADO RIVER BASIN (TEXAS)

18 In addition to previous authorizations, there is hereby
19 authorized the completion of the plan approved in the Act
20 of August 18, 1941, for the North Concho River, Texas, at
21 an estimated cost of \$4,800,000.

22 In addition to previous authorizations, there is hereby
23 authorized the completion of the plan approved in the Act
24 of August 18, 1941, for Pecan Bayou, Texas, at an estimated
25 cost of \$1,560,000.

1 BRAZOS RIVER BASIN

2 In addition to previous authorizations, there is hereby
3 authorized the completion of Whitney Reservoir in accord-
4 ance with the plan approved in the Act of August 18, 1941,
5 for the Brazos River Basin, at an estimated cost of
6 \$15,000,000.

7 RIO GRANDE BASIN

8 The project on Willow Creek for local flood protection
9 at Creede, Colorado, is hereby authorized substantially in
10 accordance with the recommendations of the Chief of Engi-
11 neers in Senate Document Numbered 104, Seventy-eighth
12 Congress, first session, at an estimated cost of \$68,500.

13 SAN DIEGO RIVER BASIN

14 The project on the San Diego River for local flood pro-
15 tection at San Diego, California, is hereby authorized sub-
16 stantially in accordance with the recommendations of the
17 Chief of Engineers in House Document Numbered 635,
18 Seventy-seventh Congress, second session, at an estimated
19 cost of \$370,000.

20 VENTURA RIVER BASIN

21 The projects on the Ventura River and tributaries for
22 local flood protection at Ventura and Ojai, California, are
23 hereby authorized substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 323, Seventy-seventh Congress, first session, at
2 an estimated cost of \$1,600,000.

3 SANTA ANA RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized to be appropriated the sum of \$10,000,000 for
6 the prosecution of the projects approved in the Act of June
7 22, 1936, as modified by the Act of June 28, 1938, for the
8 Santa Ana River Basin and for the protection of Orange
9 County, California, including the projects on Lytle and
10 Cajon Creeks for local flood protection at San Bernardino
11 and Colton, California, in accordance with the recommenda-
12 tions contained in the report of the Chief of Engineers dated
13 February 11, 1944.

14 LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$25,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of August 18, 1941, for Los Angeles and San Gabriel
19 Rivers and Ballona Creek, California.

20 SACRAMENTO-SAN JOAQUIN RIVER BASIN

21 SACRAMENTO RIVER

22 The projects for the control of floods and other purposes
23 on the Sacramento River, California, adopted by the Acts
24 approved March 1, 1917, May 15, 1928, August 26, 1937,

1 and August 18, 1941, are hereby modified substantially in
2 accordance with the recommendation of the Board of Engi-
3 neers for Rivers and Harbors dated February 7, 1944, with
4 such modifications thereof as in the discretion of the Secre-
5 tary of War and the Chief of Engineers may be advisable,
6 at an estimated cost of \$46,056,000; and in addition to
7 previous authorizations there is hereby authorized to be
8 appropriated the sum of \$15,000,000 for the prosecution of
9 the modified projects: *Provided*, That this modification of
10 the project shall not be construed to authorize the construc-
11 tion of a high dam at the Table Mountain site.

12 SAN JOAQUIN RIVER

13 The project for the Isabella Reservoir on the Kern
14 River for flood control and other purposes in the San Joaquin
15 Valley, California, is hereby authorized substantially in ac-
16 cordance with the recommendations of the Chief of Engi-
17 neers in his report dated January 26, 1944, contained in
18 House Document Numbered , Seventy-eighth Congress,
19 second session, at an estimated cost of \$6,800,000.

20 The plan for the Terminus and Success Reservoirs on
21 the Kaweah and Tule Rivers for flood control and other
22 purposes in the San Joaquin Valley, California, in accord-
23 ance with the recommendations of the Chief of Engineers in
24 Flood Control Committee Document Numbered 1, Seventy-
25 eighth Congress, second session, is approved, and there is

1 hereby authorized \$4,600,000 for initiation and partial
2 accomplishment of the plan.

3 The project for flood control and other purposes for the
4 Kings River and Tulare Lake Basin, California, is hereby
5 authorized substantially in accordance with the plans con-
6 tained in House Document Numbered 630, Seventy-sixth
7 Congress, third session, with such modifications thereof as in
8 the discretion of the Secretary of War and the Chief of En-
9 gineers may be advisable at an estimated cost of \$19,700,-
10 000: *Provided*, That the conditions of local cooperation
11 specified in said document shall not apply: *Provided further*,
12 That the Secretary of War shall make arrangements for pay-
13 ment to the United States by the State or other responsible
14 agency, either in lump sum or annual installments, for con-
15 servation storage when used: *Provided further*, That the
16 division of costs between flood control, and irrigation and
17 other water uses shall be determined by the Secretary of War
18 on the basis of continuing studies by the Bureau of Reclama-
19 tion, the War Department, and the local organizations.

20 The plan of improvement for local flood protection on
21 various streams in the Merced County Stream Group in the
22 San Joaquin Valley is hereby authorized substantially in ac-
23 cordance with the recommendations of the Chief of Engineers
24 in House Document Numbered 473, Seventy-eighth Con-
25 gress, second session, at an estimated cost of \$1,300,000.

1 The plan of improvement for flood control and other pur-
2 poses on the Lower San Joaquin River and tributaries, in-
3 cluding Tuolumne and Stanislaus Rivers, in accordance with
4 the recommendations of the Chief of Engineers in Flood Con-
5 trol Committee Document Numbered 2, Seventy-eighth Con-
6 gress, second session, is approved, and there is hereby au-
7 thorized \$8,000,000 for initiation and partial accomplish-
8 ment of the plan.

9 COQUILLE RIVER BASIN

10 The project for flood protection on the Coquille River,
11 Oregon, is hereby authorized substantially in accordance with
12 the recommendations of the Chief of Engineers in House
13 Document Numbered 620, Seventy-seventh Congress, sec-
14 ond session, at an estimated cost of \$143,000.

15 NEHALEM RIVER BASIN

16 The project for flood protection on the Nehalem River,
17 Oregon, is hereby authorized substantially in accordance with
18 the recommendations of the Chief of Engineers in House
19 Document Numbered 621, Seventy-seventh Congress, sec-
20 ond session, at an estimated cost of \$23,000.

21 WILLAMETTE RIVER BASIN

22 In addition to previous authorizations, there is hereby
23 authorized to be appropriated the sum of \$20,000,000 for
24 the prosecution of the comprehensive plan approved in the
25 Act of June 28, 1938, for the Willamette River Basin, with

1 such modifications thereof as in the discretion of the Chief
2 of Engineers may be advisable.

3 COLUMBIA RIVER BASIN

4 The projects on the Snake River for local flood protection
5 at Heise, Roberts, and Weiser, Idaho, are hereby authorized,
6 substantially in accordance with the recommendations of the
7 Chief of Engineers in House Document Numbered 452,
8 Seventy-seventh Congress, first session, at an estimated cost
9 of \$743,000.

10 The projects on the Palouse River and tributaries for
11 local flood protection at Pullman and Colfax, Washington,
12 are hereby authorized substantially in accordance with the
13 recommendations of the Chief of Engineers in House Docu-
14 ment Numbered 888, Seventy-seventh Congress, second ses-
15 sion, at an estimated cost of \$478,000.

16 The project on Alkali Canyon for local flood protection
17 at Arlington, Oregon, is hereby authorized substantially in
18 accordance with the recommendations of the Chief of Engi-
19 neers in House Document Numbered 631, Seventy-seventh
20 Congress, second session, at an estimated cost of \$118,000.

21 WILLAPA RIVER BASIN

22 The project on the Willapa River for local flood pro-
23 tection at Raymond, Washington, is hereby authorized sub-
24 stantially in accordance with the recommendations of the
25 Chief of Engineers in House Document Numbered 701,

1 Seventy-seventh Congress, second session, at an estimated
2 cost of \$127,000.

3 SEC. 8. The Secretary of War is hereby authorized and
4 directed to cause preliminary examinations and surveys for
5 flood control and allied purposes, including channel and major
6 drainage improvements, to be made under the direction of
7 the Chief of Engineers, in drainage areas of the United States
8 and its Territorial possessions, which include the following-
9 named localities, and the Secretary of Agriculture is author-
10 ized and directed to cause preliminary examinations and
11 surveys for run-off and water-flow retardation and soil-erosion
12 prevention on such drainage areas; the cost thereof to be
13 paid from appropriations heretofore or hereafter made for
14 such purposes: *Provided*, That after the regular or formal
15 reports made on any examination, survey, project, or work
16 under way or proposed are submitted to Congress, no supple-
17 mental or additional report or estimate shall be made unless
18 authorized by law except that the Secretary of War may
19 cause a review of any examination or survey to be made
20 and a report thereon submitted to the Congress if such review
21 is required by the national defense or by changed physical
22 or economic conditions: *And provided further*, That the Gov-
23 ernment shall not be deemed to have entered upon any
24 project for the improvement of any waterway or harbor

1 mentioned in this Act until the project for the proposed work
2 shall have been adopted by law:

3 Chipola River, Alabama and Florida.

4 Wacasassa River and its tributaries, Florida, and of
5 adjacent areas in Gilchrest and Levy Counties, Florida.

6 Oklawaha River and its tributaries, Florida, and of
7 adjacent areas in Alachua and Marion Counties, Florida.

8 Scajaquada Creek and its tributaries, New York.

9 Buffalo River, Minnesota. ✓

10 Wild Rice River, Minnesota.

11 Marsh River, Minnesota.

12 Sand Hill River, Minnesota.

13 Red Lake River, Minnesota.

14 Roseau River, Minnesota.

15 Snake River, Minnesota.

16 Middle River, Minnesota.

17 Tamarac River, Minnesota.

18 Two Rivers, Minnesota.

19 Warroad River and Bull Dog Creek, Minnesota.

20 Mississippi River and its tributaries, in the County of
21 Aitkin, Minnesota.

22 Apple River, Joe Daviess County, Illinois.

23 Maumee River, Indiana and Ohio.

24 Indian Creek, Indiana.

1 Osage River, Missouri and Kansas.

2 San Rafael Creek and its tributaries, California.

3 Bayamon and Hondo Rivers and their tributaries,

4 Municipality of Bayamon, Puerto Rico.

5 SEC. 9. That the sum of \$810,000,000 is hereby author-
6 ized to be appropriated for carrying out the improvements
7 herein, the sum of \$10,000,000 additional is authorized to be
8 appropriated and expended in equal amounts by the Depart-
9 ments of War and Agriculture for carrying out any examina-
10 tion or survey provided for in this Act and any other Acts
11 of Congress, to be prosecuted by said Departments. The
12 sum of \$1,500,000 additional is authorized to be appropriated
13 and expended by the Federal Power Commission for carry-
14 ing out any examinations and surveys provided for in this
15 Act or any other Acts of Congress, to be prosecuted by the
16 said Federal Power Commission.

17 SEC. 10. That the following works of improvement for
18 run-off and water-flow retardation, and soil-erosion preven-
19 tion, are hereby adopted and authorized in the interest of the
20 national security and with a view toward an adequate reser-
21 voir of useful and worthy public works for the post-war con-
22 struction program to be prosecuted by the Department of
23 Agriculture, under the direction of the Secretary of Agricul-
24 ture, in accordance with the plans of the respective reports
25 hereinafter designated and subject to the conditions set forth

1 therein: *Provided*, That the necessary plans and preliminary
2 work may be prosecuted during the war with funds from
3 appropriations heretofore or hereafter made for such works
4 so as to be ready for rapid inauguration of post-war con-
5 struction: *Provided further*, That when the existing critical
6 situation with respect to materials, equipment, and manpower,
7 no longer exists and in any event not later than immediately
8 following the cessation of hostilities in the present war, the
9 projects herein authorized shall be initiated as expeditiously
10 as may be consistent with budgetary requirements and shall
11 be prosecuted vigorously during the period of post-war
12 reconversion.

13 LOS ANGELES RIVER BASIN

14 The program on the Los Angeles River watershed is
15 hereby approved substantially in accordance with the recom-
16 mendation of the Under Secretary of Agriculture in House
17 Document Numbered 426, Seventy-seventh Congress, first
18 session, at an estimated cost to the United States of
19 \$8,380,000.

20 TRINITY RIVER BASIN (TEXAS)

21 The program on the Trinity River watershed is hereby
22 approved substantially in accordance with the recommenda-
23 tion of the Secretary of Agriculture in House Document
24 Numbered 708, Seventy-seventh Congress, second session, at
25 an estimated cost to the United States of \$32,000,000.

1 LITTLE TALLAHATCHIE RIVER WATERSHED

2 The program on the Little Tallahatchie River water-
3 shed is hereby approved substantially in accordance with the
4 recommendation of the Acting Secretary of Agriculture in
5 House Document Numbered 892, Seventy-seventh Congress,
6 second session, at an estimated cost to the United States of
7 \$4,221,000.

8 COOSA RIVER WATERSHED (ABOVE ROME, GEORGIA)

9 The program on the Coosa River watershed above
10 Rome, Georgia, is hereby approved substantially in accord-
11 ance with the recommendation of the Acting Secretary of
12 Agriculture in House Document Numbered 236, Seventy-
13 eighth Congress, first session, at an estimated cost to the
14 United States of \$1,233,000.

15 LITTLE SIOUX RIVER WATERSHED

16 The program on the Little Sioux River watershed is
17 hereby approved substantially in accordance with the recom-
18 mendation of the Assistant Secretary of Agriculture in
19 House Document Numbered 268, Seventy-eighth Congress,
20 first session, at an estimated cost to the United States of
21 \$4,280,000.

22 POTOMAC RIVER WATERSHED

23 The program on the Potomac River watershed is
24 hereby approved substantially in accordance with the recom-
25 mendation of the Assistant Secretary of Agriculture in House

1 Document Numbered 269, Seventy-eighth Congress, first
2 session, at an estimated cost to the United States of \$859,000.

3 COLORADO RIVER WATERSHED (TEXAS)

4 The program on those portions of the Colorado River
5 watershed included in the watersheds of Pecan Bayou, San
6 Saba River, Brady Creek, and the area tributary to the main
7 stream of the Colorado River below its confluence with the
8 Concho River and above the mouth of Pecan Bayou, is
9 hereby approved substantially in accordance with the recom-
10 mendation of the Assistant Secretary of Agriculture in House
11 Document Numbered 270, Seventy-eighth Congress, first
12 session, at an estimated cost to the United States of
13 \$2,693,000.

14 WASHITA RIVER WATERSHED

15 The program on the Washita River watershed is hereby
16 approved substantially in accordance with the recommenda-
17 tion of the Under Secretary of Agriculture in House Docu-
18 ment Numbered 275, Seventy-eighth Congress, first session,
19 at an estimated cost to the United States of \$11,243,000.

20 SEC. 11. That the balance remaining from the authoriza-
21 tion of \$10,000,000 provided in section 7 of the Flood Con-
22 trol Act approved June 28, 1938, for the five-year period
23 ending June 30, 1944, to correlate the program for the im-
24 provement of watersheds by the Department of Agriculture
25 for measures of run-off and water-flow retardation and soil-

1 erosion prevention on the watersheds with the program for
2 the improvement of rivers and other waterways by the De-
3 partment of War is hereby reauthorized to be expended dur-
4 ing the post-war period by the Department of Agriculture
5 for the prosecution of the work authorized in section 10 of this
6 Act: *Provided*, That not more than 20 per centum of the
7 authorization made available herein shall be expended on any
8 one project.

9 SEC. 12. That section 7 of the Act of June 28, 1938
10 (Public, Numbered 761, Seventy-fifth Congress), is hereby
11 amended by adding at the end of the first sentence thereof
12 the following: "The Secretary of Agriculture is hereby
13 authorized in his discretion to undertake such emergency
14 measures for run-off retardation and soil-erosion prevention
15 as may be needed to safeguard lives and property from floods
16 and the products of erosion on any watershed whenever fire
17 or any other natural element or force has caused a sudden
18 impairment of that watershed: *Provided*, That not to exceed
19 \$100,000 out of any funds heretofore or hereafter appro-
20 priated for the prosecution by the Secretary of Agriculture of
21 works of improvement or measures for run-off and water-
22 flow retardation and soil-erosion prevention on watersheds
23 may be expended during any one fiscal year for such emer-
24 gency measures."

78TH CONGRESS
2d Session

H. R. 4485

A BILL

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

By Mr. WHITTINGTON

MARCH 27, 1944

Referred to the Committee on Flood Control

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

MARCH 29, 1944.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. WHITTINGTON, from the Committee on Flood Control, submitted the following

REPORT

[To accompany H. R. 4485]

The Committee on Flood Control, to whom was referred the bill (H. R. 4485) to authorize the construction of certain public works on rivers and harbors for flood control and for other purposes, having considered the same, report it favorably to the House and recommend that it do pass.

In its report of June 9, 1941 (Rept. No. 759, 77th Cong., 1st sess.), the Flood Control Committee stressed the need for the orderly development of the national program for flood control and recommended additional authorizations for the continuation of flood protection works in the large river basins where general comprehensive plans have been approved by Congress, and the authorization of certain flood control projects which had been recommended to Congress by the Chief of Engineers since the passage of the last preceding Flood Control Act. The legislation under consideration at that time was enacted by Congress and became Public Law 228, Seventy-seventh Congress, approved August 18, 1941.

RECENT FLOODS

During 1942 and 1943 widespread and damaging floods occurred in several of the major river basins of the Nation. In addition there were many flash floods which, while as devastating to the communities and economic life of the affected areas, did not receive the publicity given the floods in the industrial regions located in the flood plains of the principal drainage systems of the country.

A torrential downpour in the headwaters of the Delaware River in late May of 1942 caused havoc and loss of life in several towns in Pennsylvania and New York.

A flood equal to the great flood of 1903 on the Missouri River occurred in June of 1942 on the lower part of that stream, inundating tens of thousands of acres of fertile bottom lands. When the flood waters subsided many of the local levees were breached and others seriously weakened. The War Department, through the Corps of Engineers, undertook the task of repairing and restoring these levees to their former usefulness under the authority of section 5 of the Flood Control Act of 1941 which this committee wrote into that Flood Control Act. The flood on the Sacramento River in February of 1942 and the flood on the Missouri River in June of 1942 were the first major floods requiring Federal assistance in the restoration of flood-control structures since the passage of that act.

The flood of October 1942 in the Potomac River Basin exceeded the great flood of March 1936 at some points, particularly in the Shenandoah Valley. The flood-control structures built in accordance with the 1936 Flood Control Act, protected the military air bases at Bolling Field and the Anacostia Naval Air Station, which were several feet under water during the 1936 flood.

The same storm that swelled the Potomac River also brought floods to a wide area in the Southeastern States, notably the Rappahannock, Tombigbee, Coosa, and Pearl Rivers, and tributaries. Rome, Ga., and Collinsville, Ala., were safe behind their completed flood protection projects.

Six flood-control dams were in full or partial operation above Pittsburgh when the 1942-43 New Year's Eve flood hit the upper Ohio River. These reservoirs reduced the crest stage at Pittsburgh by 3 feet, prevented property damage there estimated at over \$15,000,000 and lowered flood stages as far downstream as Wheeling, to prevent additional damages estimated at \$14,000,000, in that reach of the Ohio River. The flood continued in major proportions on down below Cincinnati. As the rain did not cover the lower basin the cities along the lower river for the most part escaped major flood damages.

November and December of 1942, and January of 1943 brought floods to the Pacific coast, including major floods on the Willamette and Sacramento Rivers, in the Los Angeles area, and in the lower San Joaquin Valley.

The Missouri River experienced three severe floods in the spring of 1943, the first of which occurred in April on the upper Missouri, the second in May and June on the lower river as a part of floods visiting the Central and Midwestern States, and the third in late June, reached the highest stages since 1917 at St. Joseph and generally the highest levels since 1903 from Kansas City to the mouth of the Osage River. The spring of 1943 also brought major and record-breaking floods elsewhere in the midwestern part of the country with excessive rains forcing the Verdigris, Grand, Arkansas, White, St. Francis, Illinois, and Wabash Rivers out of their banks. These floods inundated over 7,100,000 acres of land and caused damages estimated at more than \$153,000,000. Seventy-one people lost their lives in these floods.

The seriousness of the recent floods has tended to focus the attention of the country on the need for accelerating the Federal program for flood protection during the post-war period. Those floods have demonstrated again that over a large part of our country floods can

come at any time of the year. They have shown, too, the large benefits that have resulted from the construction of the Federal flood-control structures which this committee has recommended and Congress has authorized.

EMERGENCY REPAIRS

The damage and havoc to flood-control structures built by local people and organizations for the protection of their homes and property were so great in recent floods that manifestly the existing authority of the Federal Government to assist in the repair and restoration of those works was inadequate to meet the situation.

Accordingly, several bills were introduced in the Congress to authorize the Federal Government to assist in the restoration of flood-control works. The Flood Control Committee held hearings on these bills. The Chief of Engineers and members of his staff presented to the committee such preliminary estimates as were then available as to the cost and extent of the required Federal assistance in this restoration work. The approval on July 12, 1943, of Public Law 138 of the Seventy-eighth Congress, gave new hope to the people of the stricken areas. That act authorized an appropriation of \$10,000,000 as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the repair, restoration, and strengthening of levees and other flood-control works which were threatened or destroyed during the recent floods. The provisions of that act were in addition and supplemental to the regular authorizations contained in section 5 of the 1941 Flood Control Act and section 9 of the act approved June 15, 1936. Funds for carrying out the work authorized in Public Law 138 were provided in the Urgent Deficiencies Appropriation Act, Public Law 132, Seventy-eighth Congress, first session, also approved on July 12, 1943. The funds provided have been expended for emergency repair work at 450 localities, located principally in the upper Mississippi, Missouri, Illinois, Wabash, Arkansas, and White River Basins.

NEED FOR ADDITIONAL AUTHORIZATIONS

In approving the Flood Control Act of 1941, the President directed that no new flood control projects should be undertaken unless they were of direct importance to the defense of the Nation. Under this policy only 11 new flood-control projects have been initiated since the approval of the 1941 act. Of these, 4 dam and reservoir projects begun to supply power to important war activities were subsequently stopped; 2 dam and reservoir projects were completed and are now increasing industrial water supplies to steel-producing communities; and 5 local protection projects to protect critical manufacturing and agricultural communities are underway. All of the projects were thoroughly investigated by the War Production Board and the War Food Administration, the Army, or the Navy, and were undertaken only after strong recommendations by those agencies that they were needed for the war.

Since Pearl Harbor, the demands of military construction and the shortage of critical materials, equipment, and labor have forced the stoppage of numerous projects which could not command sufficiently

high priority ratings to secure the materials needed for their construction. Late in 1942 the War Production Board directed the stoppage of all Federal public works except war essential projects and since that time the general flood-control program of construction has been practically suspended but the completion of reports and plans has been continued as rapidly as practicable.

Flood disasters in this country are recognized as one of the major problems affecting the welfare and security of the entire Nation. The committee believes that it is essential to undertake the preparation of detailed plans now, in order that there will be no long period of preparation, while a few engineers compute stresses and draw plans and workers stand idle. In conformity with the President's suggestion, it is prudent to have a reservoir of worthy public works authorized and ready to be placed under construction. This suggestion will require the completion of many designs and much concentrated engineering work in the coming months.

Those who stay in this country and are suffering relatively little inconvenience in comparison with the men who are fighting, must concern themselves with the problems of employing the returning soldiers on useful and meritorious work. The existing authorized backlog of flood-control construction, although equivalent to several years of normal peacetime work is insufficient in size to meet the needs of a large post-war construction program. In fact, the existing backlog is not large enough to permit efficient and economical procedure on a purely peacetime basis. Additional authorizations for comprehensive basin plans should be made in order that the works already partially constructed in those basins shall be fully protected by the completed plans. The full benefits of these integrated basin plans will, of course, not be enjoyed until the comprehensive plans are completed as designed.

Additional authorizations for which legislation is needed, include some especially meritorious flood-control improvements. If human beings are going to live and carry on their daily activities in the fertile valleys of our rivers, their lives and property must be protected. Local inhabitants and our returning soldiers must have a sense of security if they are going to live in peace, build permanent homes, and contribute their share to the national welfare. Moreover, industry cannot afford to venture into an area where overflow is expected annually, regardless of how attractive other conditions may be.

It is impractical to prepare construction plans for flood-control projects until those projects have been authorized by Congress. It is, therefore, important that increases in authorizations be made available at this time for the major river basins where Congress has heretofore approved comprehensive plans for flood control and that the additional new projects recommended by the Chief of Engineers in reports to Congress since the enactment of the 1941 act be authorized for construction.

MODEL OF THE MISSISSIPPI RIVER BASIN

For the purpose of determining for the future the most effective method of reservoir operation for flood control in the great central basin of the United States, the Chief of Engineers, Maj. Gen. Eugene Reybold, has planned and initiated the construction of a large "reservoir operation model" near Clinton, Miss., about 9 miles west of

Jackson, Miss. The director of the United States Waterways Experiment Station at Vicksburg, Miss., is in charge of the work under the supervision of the president of the Mississippi River Commission.

The model which will be 4,500 feet by 3,500 feet will require about 200 acres, and will portray the Mississippi, Ohio, Tennessee, Missouri, Arkansas, White, and Red Rivers, and their principal tributaries embracing an area extending from the Rocky Mountains to the Appalachians and from the Canadian border to the Gulf of Mexico. Existing and proposed flood-control reservoirs, about 150 in number, as well as levees, dikes, floodways, and other pertinent flood-control works will be included in the model, in order to provide a means of studying the complexities of reservoir operation. Miniature floods of known magnitudes will be run through the model, registered by some 1,500 sensitive electrically controlled gages, and recorded at the same central control points from which the miniature reservoirs will be operated. The model will indicate relations and relative conditions, step by step, as they develop and should prove of great value in establishing full scale operation procedure for actual reservoirs at times of actual floods. Construction of this model is really a post-war project, but a certain amount of preliminary work is now being done with prisoner-of-war labor. The size and scope of this experiment by scale is without precedent, but so are the gigantic flood-control plans for the Mississippi Basin, plans that will represent an ultimate Federal investment of between one and two billions of dollars.

The experiments that have been conducted by the United States Waterways Experiment Station at Vicksburg, Miss., during the 13 years of its existence have added greatly to scientific knowledge and have saved the Government large sums of money and we agree with General Reybold in anticipating increased knowledge and savings as a result of the use of the large "reservoir operation model" near Clinton, Miss.

THE BILL

The enactment of the bill (H. R. 4485) will continue the national flood-control policy and program initiated by the act of 1936 and extended by subsequent acts of Congress, including the acts of 1937, 1938, 1939, and 1941.

The Congress and the country are agreed that the planning and execution of flood-control projects should be a function of the Corps of Engineers of the United States Army, and that the investigations of watersheds and measures for run-off and waterflow retardation and soil-erosion prevention should be prosecuted by the Department of Agriculture. The bill reaffirms this to be the policy of the United States and introduces certain modifications in administrative procedure which will aid in carrying out the flood-control program. The bill constitutes legislative planning for post-war construction.

Since the Flood Control Act of 1941, a number of reports on surveys authorized by Congress have been completed and reviewed by the Board of Engineers for Rivers and Harbors, and reports on flood-control projects with favorable recommendations have been transmitted to Congress. The plans are comprehensive in scope and contemplate the most practicable and economical method of providing flood control and, where practicable, of conserving the flood waters for beneficial uses. In each case, they have been planned with a view

to producing the greatest good to the greatest number of people. The plans include multiple-use reservoirs which will permit the development of economical hydroelectric power in addition to providing storage for flood control, irrigation, water supply, pollution control, and other purposes.

The bill provides additional authorizations for the prosecution of approved comprehensive plans and it authorizes a number of individual projects which have been found economically feasible and desirable. It continues the procedure of authorizing additional surveys and examinations for flood control and finally authorizes the sum of \$810,000,000, to be appropriated for carrying out its purposes (For details of status of authorizations, see p. 8.)

The Flood Control Committee has held hearings on all of the projects contained in H. R. 4485, Seventy-eighth Congress, second session, and has carefully considered the testimony presented. All of the projects contained in this bill have the approval of the Chief of Engineers of the United States Army.

Public hearings were conducted May 13, 1943, June 1 to 11, 1943, and are published as volume 1. Public hearings were also conducted February 1 to 23, 1944, and are published as volume 2. Both volumes are available.

ANALYSIS BY SECTIONS

SECTION 1. POLICY

Section 1 is similar to existing law, and clarifies the language contained in the Flood Control Acts of 1936 and subsequent acts to show clearly that flood control shall be construed to include channel and major drainage improvements. It reaffirms the declaration of policy respecting flood control and provides for investigation, planning, and prosecution by the Corps of Engineers of the United States Army of flood control and allied works, and investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention by the Department of Agriculture.

SECTION 2. LOCAL COOPERATION

Section 2 is identical with existing law. It restates the policy regarding requirements of local cooperation.

SECTION 3. RECREATIONAL FACILITIES

To date the Corps of Engineers has placed in operation some 42 dam and reservoir projects widely dispersed throughout the United States. A large number of these reservoirs present opportunities for recreational development of widespread interest and benefit, at very little cost. At the present time there is no authority to expend the small amounts of funds needed to make the recreation and conservation values at these reservoirs fully available. This committee is of the opinion that where practicable, without reducing flood-control benefits, projects should be fully utilized to provide recreational facilities for the benefit of the general public.

Section 3 authorizes the Chief of Engineers to construct, maintain, and operate recreation and conservation facilities, or to permit the

construction, maintenance or operation of such facilities and it would authorize the Secretary of War to grant leases of lands, structures, or facilities in the reservoir areas for such periods and upon such terms as he may deem reasonable. Existing law, applicable to flood-control works, limits the period of the lease of physical property to a maximum of 5 years. The committee feels that such a limitation on the length of leases for the development of recreational areas at flood-control reservoirs would not be in the public interest and recommends the removal of this restriction with respect to leases of Federal property at reservoirs for recreational facilities. This section also provides that all moneys received for such leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

SECTION 4. SALE OF STORED WATER

Recently in the development of plans for reservoirs, there have been several requests for the purchase of water for municipal and industrial purposes. Under existing law, the War Department is authorized to modify plans for any reservoir authorized by Congress to provide additional storage capacity for domestic water supply or other conservation storage provided that the cost of such increased storage is contributed by local agencies. In several cases small communities have experienced difficulty in providing the large lump-sum contributions prior to construction required by existing law, and have expressed a desire to purchase stored water at a unit price per million gallons. In several other cases requests have been received for the purchase of stored water after a dam and reservoir project has been completed. The committee, believing that full beneficial use should be made of all Federal projects, is of the opinion that the Secretary of War should be authorized to sell to States, municipalities, private concerns, or individuals at such prices and on such terms as he may deem reasonable, surplus water that may be available at any reservoir under the control of the War Department.

Suitable language has been written into the bill to accomplish this purpose; all moneys received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts.

OPERATION OF MULTIPLE-PURPOSE RESERVOIRS

SECTION 5. RESPONSIBILITY FOR OPERATION OF FLOOD CONTROL AND NAVIGATION STORAGE

The committee believes that recent experiences in the operation of multiple-purpose reservoirs during major floods has demonstrated that to assure the expected flood-control benefits, reservoirs constructed wholly or in part with Federal funds provided on the basis of flood control benefits should have their flood-control features operated under the supervision of the Chief of Engineers in accordance with regulations prescribed by the Secretary of War.

The bill, therefore, provides that it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the basis of such purposes and requires that the operation of any such project shall be in accordance with such regulations.

SECTION 6. RESPONSIBILITY FOR OPERATION OF IRRIGATION STORAGE

The construction of multiple-purpose reservoirs is in the public interest. Sound public policy requires not only that flood-control storage be under the supervision of the Secretary of War and the Chief of Engineers but also that storage for the reclamation of arid lands be under the supervision of the Secretary of the Interior.

The committee recognizes that good administration demands that projects be built by the agency having the dominant interest with suitable provisions for safeguarding the interests of other agencies. Accordingly, the bill provides that whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purposes, and the operation of any such project shall be in accordance with such regulation. Such amounts as the Secretary of the Interior may deem reasonable shall be charged for the use of such stored water; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts.

SECTION 7. AUTHORIZATION

Section 7 adopts and authorizes the following improvements, as set forth in the bill, for post-war construction with provisions for the preparation of necessary plans, specifications, and preliminary work during the war.

CONNECTICUT RIVER BASIN

(H. Doc. No. 412, 74th Cong.; H. Doc. No. 455, 75th Cong.; H. Doc. Nos. 653 and 724, 76th Cong.)

Connecticut River floods of 1927 and 1936 caused direct damages estimated at \$60,000,000, drastic depreciation in property values, shut-downs of industrial plants, widespread distress, and loss of lives in four New England States. With a view to relieving flood hazards in this valley, Congress, by the act of June 22, 1936, authorized a number of flood-control projects, and in the act of June 28, 1938, approved a general comprehensive plan for flood control and other purposes for the Connecticut River Basin. The flood of September 1938 indicated the desirability of making certain modifications in the approved plan, and the Flood Control Act approved August 18, 1941, incorporated those modifications in that plan. Public Law 759, Seventy-seventh Congress, second session, authorized the construction of the Gully Brook conduit at Hartford, Conn., as a desirable modification to the Hartford project.

The modified comprehensive plan provides for the construction of 20 reservoirs and 10 local protection projects. The Birch Hill and Knightville Reservoirs in Massachusetts, and the Surry Mountain Reservoir in New Hampshire have been completed except for minor work which has been deferred during the war. Local protection projects at Northampton, Springfield, and West Springfield, Mass., and East Hartford, Conn., have been completed, except for some minor work at Springfield and for foundation treatment of a portion of the dike at West Springfield. The project at Chicopee, Mass., is

about 85 percent complete, with a short section of dike and a pumping station still to be completed. The latter work has been deferred during the war. The north unit of the Holyoke project is complete, while the south unit has been deferred during the war.

The Hartford project is about 90 percent complete, with portions of the pumping stations still to be completed. Plans and specifications are nearing completion for the Tully Reservoir in Massachusetts and the Union Village Reservoir in Vermont; and they are under way for the Claremont and Williamsville Reservoirs in New Hampshire and Vermont, respectively; and for local protection works at Springdale and Riverdale, Mass., and at Winsted, Conn.

Sufficient authority is available for the completion of the local protection works contained in the approved plan. However, approximately \$33,200,000 of additional authorization will be required to complete the system of reservoirs, based on pre-war cost estimates. The bill proposes an increase in authorization of \$30,000,000, so that additional reservoirs can be initiated in the period immediately following the cessation of hostilities. Recognizing that Vermont does not desire a large reservoir for multiple-purpose use on the West River, the bill contains a proviso that neither the proposed authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site.

THAMES RIVER BASIN

(H. Doc. No. 885, 76th Cong., 3d sess.)

The Thames River Basin has suffered severe flood damages, the most recent of which occurred in 1936 and 1938. The damages from these two floods were estimated at \$19,000,000. In order to reduce the flood hazard in this valley, Congress, by the act of August 18, 1941, authorized a comprehensive plan for flood control in the Thames River Basin at an estimated cost to the United States of \$13,200,000, and authorized \$6,000,000 for the initiation and partial accomplishment of this plan. The approved plan consists of seven reservoirs supplemented by local channel improvement at Norwich, Conn. Funds have been allotted for the preparation of construction drawings and specifications for the Norwich Channel improvement and for the Mansfield Hollow Reservoir in Connecticut and that work is under way.

The bill proposes authorization for the completion of the approved plan in the estimated additional amount of \$7,200,000. This will enable the Corps of Engineers to prepare designs and specifications for the entire comprehensive plan and to initiate construction on all of those projects promptly in the post-war period.

HOUSATONIC RIVER BASIN

(H. Doc. No. 338, 77th Cong., 1st sess.)

The Housatonic River watershed comprises 1,945 square miles in western Massachusetts and Connecticut and the extreme eastern part of New York. Major floods have occurred in the basin nine times since 1869, the most recent occurrences being in March 1936 and September 1938, with damages estimated at \$1,096,000 and \$2,309,000, respectively. The area contains important industrial centers manu-

facturing metal and rubber products, machinery, textiles, and clothing, and includes many industries engaged in war work.

The plan recommended by the Chief of Engineers to control floods in this basin provides for the construction of a reservoir on the Naugatuck River about 1.1 miles above Thomaston, Conn., at an estimated cost of \$5,151,000. The reservoir will have a storage capacity of 41,500 acre-feet and would control the run-off from a drainage area of 97 square miles which is 57 percent of the drainage area above Waterbury, Conn., the principal damage center in the basin. The project will eliminate 97 percent of the damage sustained at Waterbury during a recurrence of the worst flood of record. In addition, there will be unevaluated benefits, including protection of lives, elimination of interruption to industrial pursuits, and enhancement in property value.

The committee notes that the tangible benefits exceed the cost and that in addition there are intangible benefits which, though not susceptible to evaluation affect the lives and security of the residents in this area, and accordingly recommends that this project be adopted as proposed by the Chief of Engineers.

SUSQUEHANNA RIVER BASIN

(H. Doc. No. 702, 77th Cong., 2d sess.)

The Susquehanna River is formed by the confluence of its north and west branches near Sunbury, Pa., and flows southeasterly 123 miles to the head of Chesapeake Bay at Havre de Grace, Md. It drains a generally rugged and mountainous area of 27,500 square miles lying in south central New York, central Pennsylvania, and northeast Maryland.

Floods cause great damage to property and improvements throughout the basin. Those of most recent occurrence include the flood of 1935 which caused damage estimated at \$33,000,000 in the upper watershed of North Branch and the great flood of 1936 which caused damage estimated at \$67,000,000 throughout the entire basin. In order to relieve the flood hazard in this basin, Congress, in the Flood Control Act of June 22, 1936, authorized a general plan consisting of 7 detention reservoirs and dikes and channel improvements to protect 13 towns in southern New York and eastern Pennsylvania. In addition, that act authorized individual local protection projects at 16 other localities throughout the Susquehanna Basin. The Flood Control Act approved August 18, 1941, modified the previous authorization for the Sunbury, Pa., project and the general plan for southern New York and eastern Pennsylvania to include the Lackawanna River.

Pursuant to these authorizations, the War Department has constructed the reservoirs at Whitney Point and Arkport, N. Y., and has completed plans and specifications for the Almond Reservoir. The local protection project at Oxford, N. Y., has been completed, and the projects for Painted Post, Avoca, Binghamton, Corning, and Hornell are substantially complete. The projects at Lisle and Elmira, N. Y., are 45 percent and 20 percent complete, respectively. The remaining work on the latter two projects has been deferred during the war. Detailed plans for other reservoirs and the remaining local protection works in the general plan are in preparation, in order that those projects can be placed under way when materials, equipment, and labor are again available for the construction of public works.

With respect to the individual projects authorized in the Flood Control Act approved June 22, 1936, the works at Wilkes-Barre-Hanover township, Pennsylvania; Kingston-Edwardsville, Pa.; and York, Pa.; are substantially complete. In addition, work was in progress at Williamsport and Plymouth, Pa., but has been suspended in accordance with a directive from the War Production Board, stopping all construction on public works projects not directly essential to the war effort. Plans and specifications are in preparation for the project at Sunbury, Pa.

The plan recommended by the Chief of Engineers in House Document 702, Seventy-seventh Congress, second session, provides for modification of the general plan of improvement for southern New York and eastern Pennsylvania, as authorized by the act of June 22, 1936, to include therein reservoirs at South Plymouth and Genesetslet on tributaries of the Chenango River, at an estimated cost of \$4,755,000; modification of the project at Harrisburg, Pa., authorized by the act of June 22, 1936, to provide for the construction of levees, concrete flood walls, channel diversion, and the raising and enlarging of an existing dam, all at an estimated cost to the United States of \$2,227,000; authorization of a local protection project at Tyrone, Pa., on the Little Juniata River, Pa., consisting of levees, flood walls, channel improvement, and a pressure conduit, all at an estimated cost to the United States of \$1,392,000; and authorization for the Raystown Reservoir on the Raystown Branch of the Juniata River, Pa., for flood control, the development of hydroelectric power and other purposes, at an estimated cost of \$21,500,000.

The committee approve the modifications of existing projects as recommended by the Chief of Engineers and they recommend authorization of the Tyrone project and approval of the plan for Raystown Reservoir with authorization of \$2,000,000 for initiation and partial accomplishment of that reservoir.

MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

ALLATOONA RESERVOIR, ETOWAH RIVER, GA.

(H. Doc. No. 674, 76th Cong., 3d sess.)

The Etowah and Oostanaula Rivers join at Rome, Ga., to form the Coosa River. The upper Coosa Basin, including the valley of the Etowah, is primarily an agricultural area, but due to its location and natural resources, it is becoming of increasing industrial importance. Production of textile, steel, and chemical products is expanding as a result of the war program. A serious flood situation exists at Rome where the business section and most of the residential section are subject to recurring overflows. Although a part of the residential section has been given partial protection by levees under authority of the Flood Control Act of 1936, these works will not protect against major floods and they afford no protection to the basin generally.

The plan approved in the 1941 Flood Control Act provides for construction of a reservoir at the Allatoona site on the Etowah River, 38 miles above Rome for flood control, regulation of stream flow, and power development. The authorized dam will provide practically complete protection between the site and Rome, will protect Rome against all but the most infrequent major floods, will reduce flood

damages on the Coosa River below Rome, will be of substantial value to further navigation development, and will provide a large block of economical hydroelectric power which can be quickly absorbed by the expanding industrial requirements of the region. The project was approved by the act approved August 18, 1941, and \$3,000,000 was authorized for its initiation and partial accomplishment.

In late 1941 the War Production Board requested immediate construction of Allatoona Dam to produce power for the war activities in the area and Congress appropriated funds, but before work was actually begun, a change of program caused the project to be deferred. The field investigations preparatory to actual construction have been completed and the plans and specifications for the entire Allatoona project, including power generating facilities, are nearly complete. The committee reaffirms its approval of the Allatoona Reservoir and recommends additional authorization for completion of the project in the estimated amount of \$14,400,000.

LOWER MISSISSIPPI RIVER BASIN

(H. Doc. No. 509, 78th Cong., 2d sess.)

The Lower Mississippi River Basin is the alluvial valley of the Mississippi River which extends from Cape Girardeau, Mo., to the Gulf of Mexico and contains some 20,000,000 acres in the States of Missouri, Illinois, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana. A Federal project for flood control of the Mississippi River in its alluvial valley and for its improvement from the Head of Passes to Cape Girardeau, Mo., was adopted by the Flood Control Act approved May 15, 1928, and has been amended and extended by subsequent acts of Congress. The authorized navigation channel between Baton Rouge, La., and Cairo, Ill., is not less than 9 feet in depth and 300 feet in width. Below Baton Rouge the channel is not less than 35 feet in depth and 500 feet in width. Flood control of the lower Mississippi River and its improvement for navigation are inseparable since much of the work prosecuted under the authorized project serves both purposes and no specific work for either flood control or navigation is undertaken without carefully analyzing its effect on both phases of the project.

In the spring of 1943, the Committee on Commerce of the Senate and this committee adopted resolutions requesting the Chief of Engineers to review the navigation provisions of the project for the improvement of the Mississippi River adopted by the act of May 15, 1928, as amended, with a view to determining the advisability, in the interest of navigation and flood control, of increasing the depth of the navigation channel from 9 feet to 12 feet between Cairo, Ill., and Baton Rouge, La. A report in response to these resolutions has been prepared by the Mississippi River Commission, concurred in by the Chief of Engineers, and transmitted to Congress by the Secretary of War.

The report quotes the following statement from House Document No. 90, Seventieth Congress, which was enacted into law by the act of May 15, 1928, and which is as sound today as when written.

131. Channel stabilization. Since the levees within the limits of this project are to be greatly enlarged, they will be much more expensive than heretofore,

so something must be done to avoid the frequent moving of them from the proximity of caving banks. In addition, the river cannot be regulated for low-water navigation until the banks are made stable, this both to keep the channel in one place and to stop the enormous dumping of earth into the river by bank caving. A general bank protection scheme must be carried out * * *.

The Mississippi River Commission says that, with the great Mississippi River levee system rapidly approaching completion, the control of the meander of the river has become the most urgent and difficult problem confronting those responsible for the safety of the valley and the maintenance of free, easy, and unobstructed navigation channels below Cairo. Stabilization of banks will reduce the sand in motion, will fix the locations of crossings, and will reduce the amount of dredging required to maintain the navigation channel. It is estimated that the existing authorization for maintenance dredging will be ample to secure a minimum low-water depth of 12 feet after stabilization work is completed. A certain amount of improvement dredging and low dikes will be required to produce the best alinement and to fix the low-water channel in certain reaches before bank stabilization is undertaken.

The report concludes that the time has now arrived in the development of the alluvial valley of the Mississippi for undertaking to hold the river's meander within narrow limits as rapidly as funds can be made available; that stabilization of the river is necessary in order to retain reduction in flood heights obtained by channel rectification, and is advisable for the purpose of safeguarding the main Mississippi River levees; and that such stabilization may materially increase the flood-carrying capacity of the river as well as provide a minimum depth of 12 feet at low water for navigation. The estimated cost of the plan of improvement is \$200,000,000, of which about four-fifths would be required for bank stabilization and one-fifth for improvement dredging and low dikes. It is estimated that the work would extend over a period of years.

The Chief of Engineers concurs with the Mississippi River Commission and recommends that the existing project for flood control, Mississippi River and tributaries, be modified to authorize a navigation channel 12 feet deep and 300 feet wide at low water between Cairo, Ill., and Baton Rouge, La., and the execution, in the interest of navigation and flood control of a channel improvement and stabilization program at an estimated cost, over that now authorized, of \$200,000,000.

The committee believes that the great investments made by the local people and the Government in the levee system; the constantly increasing population and property values protected by the levees; and the benefits accruing to the country as a whole from the navigation of the river, amply justify the further expenditures required and it recommends modification of the existing project in accordance with the recommendations of the Chief of Engineers, at an estimated additional cost of \$200,000,000.

BOEUF AND TENSAS RIVER BASIN

(S. Doc. No. 151, 78th Cong., 2d sess.)

The Boeuf and Tensas Rivers and Bayou Macon are located in Arkansas and Louisiana and embrace that part of the alluvial valley of the Mississippi River lying south of the Arkansas River, west of the

Mississippi River, north of the Red River backwater area, and east of the Ouachita River and Bayou Bartholomew. This area has been protected against Mississippi River floods by the levees and other works constructed under the Flood Control Act approved May 15, 1928, as amended. However, the area is subject to overflow from the above-named streams since their channels are obstructed with debris and undergrowth and are inadequate to discharge headwater run-off. Furthermore, local interests have constructed drainage ditches into the upper end of the basin, thus increasing the total inflow into the basin without improving the conditions of outflow. It is estimated that channel improvements of the main streams in the basin will wholly or partially eliminate the flooding now suffered.

The Chief of Engineers has investigated this situation, in response to a resolution of the Committee on Commerce of the Senate, and he concurs in the recommendation of the Mississippi River Commission that the improvements recommended for the channels of these streams should be undertaken at an estimated cost of \$5,013,000.

The committee followed the recommendation of the report and included authorization for this work in the bill.

YAZOO RIVER BASIN

(H. Doc. No. 516, 78th Cong., 2d sess.)

The Big Sunflower, Little Sunflower, Hushpuckena, and Quiver Rivers, and Hull Brake-Mill Creek Canal, Bogue Phalia, Ditchlow Bayou, Deer Creek, and Steele Bayou are all tributaries of the Yazoo River, which enters the lower Mississippi River near Vicksburg, Miss. Prior to the development of the Mississippi River levee system, the area drained by these streams was subject to overflow. The construction of Mississippi River levees under the act of May 15, 1928, now gives protection against Mississippi River floods and the completion of the Yazoo headwater project and the Yazoo backwater project will give protection to most of the area against Yazoo River floods and Mississippi River backwater. However the area will remain subject to flood damage due to the inadequate capacities of the local streams which have become obstructed with undergrowth and debris. Conditions on these streams are similar to those existing on the Boeuf and Tensas Rivers and Bayou Macon, discussed in the preceding item.

The Chief of Engineers has investigated this situation in response to a resolution of the committee and he concurs in the recommendation of the president of the Mississippi River Commission that channel improvements on the streams named be undertaken to remedy this flood situation at an estimated cost of \$3,752,000.

The committee followed the recommendation of the report of the Chief of Engineers and included this item in the bill.

YAZOO BACKWATER-AREA

(H. Doc. No. 359, 77th Cong., 1st sess.)

A project for the protection of the Yazoo backwater area was recommended in House Document No. 359, Seventy-seventh Congress, first session, and authorized in the Flood Control Act approved August 18, 1941. It involves the construction of a levee from the lower end

of the Mississippi River levee above Vicksburg northward along the west bank of the Yazoo River to a connection in the vicinity of Yazoo City with the Yazoo River levee authorized by the existing project for protection against headwater floods of the Yazoo River system. The authorization in the 1941 act permitted adjustment in the discretion of the Chief of Engineers of the grades of existing levees in the backwater area on the east bank of the Yazoo River. However, there is a large area on the east bank of the Yazoo River below Satartia that does not have existing levees, for which protection was not provided by the 1941 act and on which floods may be increased by construction of the authorized backwater levee. In response to questions asked by the committee, the president of the Mississippi River Commission gave the factual data with respect to the acreage in this area that could be protected and the estimated cost of providing protection. A study of these data shows that if the Satartia area or the Satartia area plus its extension is given protection by works constructed as a part of the authorized Yazoo backwater project, the ratio of benefits to costs would be favorable and the cost per acre for the entire improvement would be substantially less than the unit costs of similar backwater protection that has been authorized elsewhere in the alluvial valley of the Mississippi River.

The committee, has therefore, included an item in the bill amending the backwater project as authorized by the Flood Control Act of 1941, to authorize the Chief of Engineers, in his discretion, to include improvements for the protection of the Satartia area at an estimated additional cost of \$1,061,000, or, in his discretion, to include improvements for the protection of the Satartia area plus its extension at an estimated cost of \$1,952,000.

RED-OUACHITA RIVER BASIN

LITTLE MISSOURI RIVER, ARK.

(H. Doc. No. 837, 76th Cong., 3d sess.)

The Little Missouri River rises in Polk County, Ark., in the southern slopes of the Missouri Mountains, flows generally southeast for a distance of 147 miles and enters the Ouachita River 28 miles above Camden, Ark. Large floods which occur at comparatively frequent intervals adversely affect the agricultural activities of the inhabitants of this basin, consisting of general farming and fruit culture, as well as the industrial activities, which include sawmills, cotton gins, preparation and processing of fruits, and some mineral and petroleum production. For the protection and improvement of this watershed, the Congress has adopted a project consisting of the construction of the Narrows Reservoir and powerhouse and improvement of channels of Little Missouri River, Terre Noire Creek, Ozan Creek, and for the repair of levees along Terre Noire Creek, at an estimated first cost to the United States of \$6,800,000 and authorized the appropriation of \$3,000,000 for the initiation and partial accomplishment of that plan. The bill proposes an additional authorization for the completion of the plan at an estimated cost of \$3,800,000.

ARKANSAS RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong., H. Doc. No. 717, 77th Cong., 2d sess., and H. Doc. No. 186, 78th Cong., 1st sess.)

Destructive floods occur in almost all parts of this extensive basin and flood flows from the Arkansas River contribute largely to floods in the lower Mississippi Valley. The flood in May and June of 1943, inundated some 1,500,000 acres and caused direct damages estimated at \$33,000,000. Twenty-three lives were lost. The storms causing this flood began on May 7, 1943, and continued, with a pause between May 11 and May 14, until May 20, 1943. They centered near Webbers Falls, Okla., with 13.64 inches of precipitation for the first phase and near Joplin, Mo., with 16.41 inches total precipitation for the second phase.

Congress, in the Flood Control Act of 1936, authorized a number of reservoirs and local flood-protection works for the Arkansas River Basin and by the Flood Control Act of 1938 approved a general comprehensive plan for flood control and other purposes and authorized \$21,000,000 for initiation and partial accomplishment of the work. That plan was modified and extended by the Flood Control Act approved August 18, 1941, which authorized an additional \$29,000,000 for the prosecution of the approved plan.

Pursuant to these authorizations, the War Department has completed Conchas Dam and Reservoir on the South Canadian River in New Mexico, the Fort Supply Dam and Reservoir on the North Canadian River in Oklahoma, the Great Salt Plains Reservoir on the Salt Fork of the Arkansas River in Oklahoma, and the Nimrod Reservoir in Arkansas, and it has initiated construction on three reservoirs; namely, the Blue Mountain Reservoir on the Petit Jean River in Arkansas, the Canton Reservoir on the North Canadian River in Oklahoma, and the John Martin Reservoir on the Arkansas River in Colorado. The Blue Mountain, Canton, and John Martin Reservoirs were substantially 73 percent, 20 percent, and 90 percent complete, respectively, when further work on those projects was suspended, in accordance with a directive of the War Production Board. The John Martin Reservoir, however, is in partial operation. Detailed plans for other reservoirs in the approved plan and for a number of local protection projects authorized in the various flood-control acts are in preparation in order that those projects can be placed under way when the present restrictions on Federal public works have been lifted.

The increased activities in eastern Oklahoma and southeastern Kansas resulting from the expanding war industries in that area, emphasize the need for providing adequate flood control in the Arkansas River Basin at the earliest practicable date. Accordingly, the bill provides an additional authorization of \$35,000,000 for the prosecution of the comprehensive plan.

ARKANSAS RIVER, MAIN STEM FROM GREAT BEND, KANS., TO PINE BLUFF, ARK.

(H. Doc. No. 447, 78th Cong., 2d sess.)

Following the destructive floods along the Arkansas River in May and June of 1943, the Flood Control Committee adopted a resolution requesting the Board of Engineers for Rivers and Harbors to review

the previous reports on the Arkansas River, with a view to determining whether any modifications should be made therein at this time with respect to local flood protection along the main stem of the Arkansas River.

The report of the Board of Engineers for Rivers and Harbors and of the Chief of Engineers, in response to that resolution has been submitted to the Congress and has been carefully considered by this committee. The report recommends the following local works of improvement for flood control along the main stem of the Arkansas River:

		<i>Additional estimated cost to the United States</i>
Modifications of the following projects:		
Tulsa and West Tulsa, authorized by the act approved Aug. 18, 1941		\$133, 000
Near Fort Gibson, Okla., authorized by the act approved June 22, 1936		260, 100
Crawford County levee district in Arkansas, authorized by the act approved Aug. 18, 1941		1, 546, 000
Near Dardanelle, Ark., authorized by the act approved June 22, 1936		122, 500
West of Morrilton, Ark., authorized by the act approved June 22, 1936		855, 000
Little Rock, Ark., authorized by the act approved June 22, 1936		465, 200
South bank of the Arkansas River between Little Rock and Pine Bluff, authorized by the act approved Aug. 18, 1941		790, 000
Total		4, 171, 800
Construction of projects at the following localities:		<i>Estimated cost to the United States</i>
Jenks, Okla.		\$264, 000
Dirty Creek Bottom area, Oklahoma		421, 000
Tucker Lake Bottom area, Oklahoma		485, 000
Braden Bottom area, Oklahoma		192, 000
Big Skin Bayou-Camp Creek Bottom area, Oklahoma		349, 000
Moffett Bottom area, Oklahoma		957, 000
Fort Smith, Ark.		898, 600
Van Buren, Ark.		329, 000
McLean Bottom levee district No. 3, Arkansas		517, 000
Arkansas River, Conway County levee district No. 6, Arkansas		371, 000
Conway County levee districts Nos. 1, 2, and 8, Arkansas		1, 005, 000
Roland drainage district, Arkansas		339, 000
Total		6, 127, 600
Grand total		10, 299, 400

In the interest of preventing flood losses and insuring the welfare of the people residing in this area, the committee recommends that these projects be adopted at an estimated additional cost to the United States of \$10,299,400.

FOUNTAIN QUE BOUILLE RIVER

(H. Doc. No. 186, 78th Cong., 1st sess.)

The Fontaine Que Bouille (Fountain) River is formed at Colorado Springs, Colo., by the confluence of Fountain and Monument Creeks and flows 52 miles in a meandering southwesterly direction to join the Arkansas River at Pueblo, Colo., about 1,280 miles upstream from the mouth of the latter. Colorado Springs, with a population of 33,237, is the largest city lying wholly within the basin and is one of the

principal damage centers in the basin. That portion of Colorado Springs and its suburbs in the overflow area of Monument Creek and Fountain River comprises an area of 670 acres, of which 505 acres are occupied by railway tracks and yards, athletic stadiums, churches, residences, and small business and industrial establishments. Another area overflowed by storm run-off extends from the mouth of Templeton Gap to the confluence of Shooks Run with the Fountain River and comprises an area of 1,100 acres, of which about 400 acres are within the limits of Colorado Springs and the adjacent community of Papeton, while the remaining 700 acres are largely agricultural lands lying outside of the developed area of these two communities. Ten major floods have been reported in the past 76 years. The most severe flood on Templeton Gap occurred in July of 1932 and caused property damage estimated at \$145,800.

The Chief of Engineers has investigated the flood situation in the Fountain River Basin in response to an authorization contained in the 1937 Flood Control Act and he has submitted his report to Congress. He finds that protection can be provided at Colorado Springs, Colo., against a flood 45 percent greater than the maximum of record by the construction of a paved floodway from the outlet of the Gap to Monument Creek at a point just upstream from the Chicago, Rock Island, & Pacific Railroad bridge. The estimated cost of the project to the United States is \$500,000.

The committee believes that the intangible benefits resulting from the correction of this menace, in addition to the tangible benefits are sufficient to justify the construction of the project and has, therefore, included in the bill authorization for this work.

PURGATOIRE (PICKET WIRE) RIVER, COLO.

(H. Doc. No. 387, 78th Cong., 2d sess.)

Purgatoire River is formed by the confluence of its North and Middle Forks in the Culebra Range of the Rocky Mountains in southeastern Colorado and flows 186 miles northeasterly to enter the Arkansas River 3 miles east of Las Animas, Colo. Floods occur at irregular intervals in different sections of the basin usually as a result of storms in the watershed. They cause damage to railroad property, residences, parks, business and industrial establishments, streets, sewers, and public utilities, all in the city of Trinidad estimated to average \$29,650 annually in addition to damages to crops, farm improvements, roads, bridges, and irrigation structures in the rural areas upstream from the canyon section.

The Chief of Engineers has investigated the flood problem in this area in accordance with the provisions of the Flood Control Acts approved June 22, 1936, and June 28, 1938. He finds that flood protection by reservoirs cannot be afforded in the main valley at a cost commensurate with the benefits to be expected. He concludes, however, that local protection works in the city of Trinidad are warranted and he recommends the construction of channel and levee works throughout the city at an estimated cost to the United States of \$909,000.

WHITE RIVER BASIN

Congress, in the Flood Control Act of 1936, recognized the seriousness of the flood problem in the White River Basin and authorized local protection works for nine localities in the basin. Four of these local protection projects built prior to the flood of May and June of 1943 functioned as designed during that flood, protecting the city of Newport, Ark., and important agricultural areas. The Flood Control Act of 1938 approved a general comprehensive plan for the White River Basin, in accordance with the recommendation of the Chief of Engineers and authorized \$25,000,000 for the initiation and partial accomplishment of the reservoirs of that plan. The Flood Control Act approved August 18, 1941, modified and extended the comprehensive plan and authorized an additional \$24,000,000 for continuation of work under the approved plan.

Pursuant to these authorizations, a multiple-purpose flood control and hydroelectric power development on the North Fork of White River at Norfork, Ark., is nearing completion under rush orders to provide power for important war industries and will be completed this spring. Clearwater Dam on the Black River was initiated but has been stopped in accordance with a directive from the War Production Board. In addition to the actual construction, plans and specifications are in preparation for the Water Valley, Bull Shoals, Table Rock, and Greers Ferry Reservoirs.

The present bill proposes an additional authorization of \$45,000,000 in order that work on the comprehensive plan may be resumed on an effective scale in the period immediately following the cessation of hostilities.

UPPER MISSISSIPPI RIVER BASIN

The upper Mississippi River Basin is that part of the watershed of the Mississippi River lying above Cape Girardeau, Mo., exclusive of the Missouri River Basin.

The basin has been subjected to destructive floods at frequent intervals and extensive damages have been caused along the main Mississippi River and along the Meramec, Kaskaskia, Illinois, Sangamon, and other tributary rivers, the most recent of which occurred in May and June of 1943, when 465,000 acres of land were inundated causing damage estimated at \$27,500,000. Fifteen lives were reported lost during this flood, alone. The most serious floods in the upper Mississippi Valley Basin generally occur during the months of April, May, and June.

The Flood Control Act of 1936 authorized the improvement of existing local flood-protection works at 26 levees and drainage districts along the upper Mississippi River, 32 localities along the Illinois and Sangamon Rivers, 2 localities on the Kankakee River, and at 3 localities on the Rock River. Two reservoirs for local flood control were also authorized, one on the Minnesota River and one on a tributary of the upper Iowa River. The authorization for the reservoir on the upper Iowa River was later modified to provide for the diversion of Dry Run and the construction of a system of levees. The 1938 Flood Control Act approved a general comprehensive plan for flood control in the upper Mississippi River Basin, consisting of the construction of 10 reservoirs supplemented by local protection works at 13 localities

on the upper Mississippi, Illinois, Sangamon, and Kaskaskia Rivers. For the initiation and partial accomplishment of this work, the Congress authorized an appropriation of \$2,700,000 for local protection works and \$6,600,000 for reservoirs.

Eight of the local protection projects authorized by the 1936 act and six of the local protection projects contained in the comprehensive plan, have been completed. Several others are partially completed. Work on these projects has been deferred in accordance with a directive from the War Production Board. Plans and specifications are in preparation for the Meramec, Big River, and Coralville Reservoirs, and for additional local protection projects.

The present bill proposes an additional authorization of \$10,000,000, in order that work may be resumed promptly and effectively upon the cessation of hostilities or earlier if practicable.

STE. GENEVIEVE LEVEE DISTRICT

(H. Doc. No. 727, 77th Cong., 1st sess.)

The Flood Control Act approved June 22, 1936, authorized a project for flood control in the Ste. Genevieve levee district No. 1, Missouri, consisting of the raising and enlarging of the existing levee system to improve the existing protection at that locality. This project has not yet been undertaken. On May 16, 1942, the Secretary of War transmitted to Congress the report of the Chief of Engineers recommending modification of the existing project to provide for the protection of Ste. Genevieve levee district No. 1 and an adjacent area known as the Common Big Field by the construction of a levee and appurtenant works, at a total estimated cost to the United States of \$141,000.

The area under consideration, consisting of both levee district No. 1, and the Common Big Field, includes approximately 3,200 acres of highly developed agricultural land lying between the Mississippi River and its bluff, in addition to approximately 100 acres occupied by a railroad, roads, and buildings. The committee notes that the benefits expected to accrue from the project exceed the cost by a ratio of slightly better than 2 to 1, and it recommends that the project be adopted by Congress.

MISSISSIPPI RIVER AT SABULA, IOWA

(H. Doc. No. 328, 77th Cong., 1st sess.)

The eastern half of Sabula is on high ground immediately adjacent to the main Mississippi River channel and is not subject to flooding, but in its natural state, the westerly half was subject to inundation by floodwaters entering the village from the low swale west of the town. To protect this area local interests constructed a levee extending from the north end of town in a northwesterly direction to high ground at the Iowa Bluff and a second levee extending from the south end of town following an old railroad fill in a southwesterly direction to the bluff line. These two levees protect the town against floods of the magnitude of that of 1938, but would not protect against the largest floods of past record. In their present condition, the levees are subject to the erosive action of floodwaters and may fail unless protected.

Remedial measures recommended by the Chief of Engineers for the protection of the local levee at Sabula, Iowa, consist of riprapping at critical points as outlined in House Document No. 328 (77th Cong., 1st sess.), at an estimated cost to the United States of \$25,000.

In the opinion of the committee this work is essential and is economically justified. The committee recommends protection of existing levees at Sabula, Iowa, against erosion, in accordance with the recommendations of the Chief of Engineers.

GALENA RIVER, ILL.

(H. Doc. No. 336, 77th Cong., 1st sess.)

Galena River rises near Belmont, Lafayette County, Wis., flows south into Illinois and discharges into Harris Slough, a side channel of the Mississippi River, 565 miles above the mouth of the Ohio River. It drains an area of 207 square miles of rugged terrain, characterized by rolling uplands intersected by gorgelike valleys. The city of Galena, with a population of 4,126 is located 4 miles above the river's mouth.

The only flood problem of consequence in the basin is at the city of Galena and along the narrow strips of bottom land extending upstream about 4 miles to the mouth of the East Fork. The plan for flood protection recommended by the Chief of Engineers provides for the construction of levees and flood walls and appurtenant structures for the protection of the business and industrial sections on the west bank of the river, for the abandonment and removal of three railroad and two highway bridges, for modification of a highway bridge, and for some channel enlargement through and below the city, at an estimated cost of \$300,000.

The committee finds that a serious problem exists at Galena due to frequent floods on the lower Galena River and it recommends adoption of the project recommended by the Chief of Engineers.

ILLINOIS RIVER

(H. Doc. No. 692, 77th Cong., 2d sess.)

The Illinois River is formed by the confluence of the Des Plaines and Kankakee Rivers in northeastern Illinois and flows southwesterly 273 miles to the Mississippi River at Grafton, 38 miles above St. Louis. About 359,000 acres of land between the bluffs along the river were originally subject to overflow. Of this area, nearly 200,000 acres, below Starved Rock have been reclaimed by levees, which in general afford a high degree of protection against all but the most severe floods. Thirty-nine levee districts of importance are included in the flood plain. These range in size from 794 to nearly 13,000 acres. Opposite the Big Prairie drainage and levee district, a few miles below Beardstown, the flood channel is restricted at the narrow opening by the levees on the opposite bank of the river.

The Chief of Engineers finds that the use of the Big Prairie drainage and levee district to provide additional floodway area in the interest of flood control is desired and recommends that that district be purchased by the United States and that the levee be suitably degraded, all at an estimated cost of \$111,500.

The committee followed the recommendations of the Chief of Engineers and included this project in the bill.

ELK CREEK AND TURKEY RIVER

(H. Doc. No. 700, 77th Cong., 2d sess.)

Elkport lies at the junction of Elk Creek and Turkey River, 21.2 miles above its mouth in Clayton County, Iowa. The Turkey River at this point drains 1,556 square miles, including 67 square miles drained by Elk Creek. Elkport lies within the flood plains of both Turkey River and Elk Creek. Prior to the construction of a road dike at Elkport, frequent and devastating floods of Turkey River and Elk Creek inundated the town. Since completion of this dike in 1936 no flooding has occurred. A severe flood, however, would overtop this dike and cause extensive damage. Adequate protection for Elkport can be provided by raising the road dike or providing a levee on the riverward side of the road. The Chief of Engineers finds that the construction of a new levee on the riverward side of the existing road dike would be the most suitable plan of improvement for Elkport and recommends its construction, in accordance with plans set forth in House Document No. 700, Seventy-seventh Congress, second session.

The committee is of the opinion that local flood-protection measures at Elkport are warranted and recommends the adoption of the project recommended by the Chief of Engineers, at an estimated cost of \$13,000.

RED RIVER OF THE NORTH BASIN

RED LAKE RIVER AND TRIBUTARIES

(H. Doc. 345, 78th Cong., 1st sess.)

Red Lake River, the principal tributary of the Red River of the North, has its source at the outlet of lower Red Lake in the northwestern part of Minnesota, flows generally westward through a meandering course for 196 miles, and empties into the Red River of the North at East Grand Forks, Minn. The drainage area contains 5,711 square miles, of which about 500 square miles are water surface. The principal tributary is Clearwater River, which enters from the south about 90 miles above the mouth of Red Lake River.

The Chief of Engineers has investigated the flood problem on the Red Lake River and its tributaries pursuant to the authority contained in the Flood Control Act approved June 28, 1938, and has submitted a report to Congress in which he recommends adoption of a Federal project for the regulation of Red Lake for flood control by the installation of three hand-operated Tainter gates and other appurtenant works and for the rectification, clearing, and enlarging of the channels of Red Lake River and Clearwater River, Minn., at an estimated cost to the United States of \$902,940.

The Flood Control Committee believes that the improvements outlined in the report of the Chief of Engineers would provide a reasonably satisfactory solution of the water supply problems in the Red Lake River Basin and the control of floods resulting from direct overflow from streams within the Red Lake River Basin and it recommends the authorization of the work proposed by the Chief of Engineers.

MISSOURI RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong.; H. Doc. 842, 76th Cong.; H. Doc. 475, 78th Cong.)

The Missouri River is formed by the confluence of the Gallatin, Madison, and Jefferson Rivers at Three Forks, Mont., in the southwestern part of that State. It flows in a generally southeasterly direction to its junction with the Mississippi River about 17 miles above St. Louis, Mo. From the headwaters of the Missouri River to its mouth, the surrounding area changes from mountainous at the headwaters to sloping terrace lands, and finally to rolling plains near its mouth. The river has a total length of 2,470 miles and drains an area of 529,000 square miles, of which approximately 9,715 square miles are in Canada.

Destructive flooding is a constant threat to farm lands and urban property in the Republican, Kansas, and Missouri River Valleys. A severe flood occurred on the lower Missouri River in June of 1942 inundating tens of thousands of acres of fertile bottom lands and in the spring of 1943 the Missouri River experienced three severe floods, the first of which occurred in April and centered over the upper basin; the second occurred in May and June on the lower river as a part of the floods visiting the Central and Midwestern States; and the third occurred in June, reached the highest stage since 1917 at St. Joseph and generally caused the highest levels since 1903 from Kansas City to the mouth of the Osage River. The floods in 1943 inundated about 2,478,000 acres of farm land and damaged numerous towns with major damage centering at Beulah, Mont, and Mandan, N. Dak.; Fort Pierre and Pierre, S. Dak.; Council Bluffs, Iowa; and Omaha, Nebr., causing direct damage estimated at \$47,382,000. Eleven lives were reported lost during these floods. These recent floods in the Missouri River, particularly below Sioux City, are the only major floods of record in which no cut-off or no change in location of the main channel of the river occurred. This is attributable to the improvements which have been made in connection with the navigation project. The dikes constructed as part of the navigation improvements concentrate the flow into one channel in such shape that the energy of the flowing waters scours the desired channel and the banks are reveted when the desired alinement is attained. For the first time in history it appears that the channel of the Missouri River is stabilized and the construction of reservoirs and local protection works can be initiated with assurances that the works will protect the areas for which they are designed.

Congress, in the Flood Control Act approved June 28, 1938, adopted a general comprehensive plan for flood control in the Missouri River Basin, consisting of a system of nine reservoirs, at an estimated construction cost at that time of about \$145,000,000, and authorized an initial appropriation of \$9,000,000 for the partial accomplishment of that plan. The Flood Control Act approved August 18, 1941, extended the plan to include the Harlan County Reservoir on the Republican River, Nebr., and such other supplemental flood-control works on that stream as the Secretary of War and the Chief of Engineers may find advisable, and authorized the appropriation of an additional \$7,000,000 for the prosecution of the comprehensive plan. The Kanopolis Reservoir on the Smoky Hill River near Salina, Kans.,

was selected for construction as the initial unit in the comprehensive plan. That project was approximately 65 percent complete when all work on it was suspended in accordance with a directive from the War Production Board.

Following the flood in April of 1943, the Flood Control Committee, by resolution adopted on May 13, 1943, requested the Board of Engineers for Rivers and Harbors to review the prior reports on the Missouri River, with a view to determining whether any modification should be made therein at this time with respect to flood control along the main stem of the Missouri River from Sioux City, Iowa, to its mouth. The reports of the division engineer, the Board of Engineers for Rivers and Harbors, and the Chief of Engineers in response thereto have been submitted to Congress and have been published as House Document No. 475, Seventy-eighth Congress, second session.

The Chief of Engineers recommends modification of the approved plan of the Missouri River to include 12 additional reservoirs, 5 of which are located on the main stem upstream from Sioux City, Iowa, and a system of levees along both banks of the Missouri River between Sioux City, Iowa, and the mouth. The committee has held extensive hearings on the plan recommended by the Chief of Engineers. The Governors of the 5 States in the headwater areas, the Commissioner of the Bureau of Reclamation, representatives of the Chief of Engineers of the United States Army, and representative local interests presented their views in detail to the committee. After careful consideration of the testimony presented at that hearing, and with due regard to the comments of the Bureau of the Budget on the report of the Chief of Engineers, the committee is of the opinion that the works recommended by the Chief of Engineers will form a broad framework for the comprehensive development of the entire Missouri River Basin in the interest of flood control, irrigation, power development, navigation, and other purposes and that the adjustment of the water use to meet the changing needs of the Missouri River Basin as a whole can and will be made if the comprehensive development proceeds step by step toward ultimate accomplishment. The committee, therefore, recommends that the approved comprehensive plan for the Missouri River Basin be expanded to include the work recommended by the Chief of Engineers in House Document No. 475, Seventy-eighth Congress, second session.

The committee recognizes the high value of flood protection in the Missouri River Basin and it believes that the sum of \$200,000,000 should be authorized at this time in order that detailed plans may be prepared for other reservoirs in the approved plan as expanded and modified by the work recommended by the Chief of Engineers in House Document No. 475 of the Seventy-eighth Congress, and that the additional projects that can be built under the increased authorization may be initiated as soon as the present restrictions on the public-works program are lifted. In order clearly to affirm the intention of the report of the Chief of Engineers and to reassure the residents in the upper Missouri Basin, the committee has inserted the following provisos to the item in the bill modifying and expanding the approved comprehensive plan of development in the Missouri River Basin:

Provided, That nothing in this Act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law: *And provided further*,

That portions of the storage authorized for the main stem of the river shall be placed on tributaries if the Secretary of War and the Chief of Engineers find such action advisable for silt control and in order to make more water readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost.

THE KANSAS CITIES, KANS. AND MO.

(H. Doc. No. 342, 78th Cong., 1st sess.)

The Missouri River flows southeasterly from its source in Montana and enters the Mississippi River 17 miles above St. Louis, Mo. Just above the State line between Missouri and Kansas and 378.9 miles above its mouth, the Missouri River is joined by the Kansas River from the southwest. Big Blue River enters Missouri River from the south 10.3 miles below the mouth of the Kansas River. The Missouri and Kansas Rivers at their confluence drain 427,720, and 60,060 square miles, respectively. Big Blue River drains 286 square miles. East of the State line and on the south bank of Missouri River is located Kansas City, Mo., which contains within its limits most of the lower 19 miles of Big Blue River. The adjoining city of Kansas City, Kans., includes the lower several miles of Kansas River and borders the Missouri River on the south and west for about 6 miles upstream. North Kansas City, Mo., is on the north bank of Missouri River opposite these 2 cities. These separately incorporated municipalities with populations of about 399,180, 121,460, and 2,690, respectively, together form an important commercial and industrial center, served by 13 railroads and improved Federal and State highways.

With a view to relieving flood hazards in this important industrial and commercial center, Congress, by the act of June 22, 1936, authorized levees and flood walls to protect the people and city property at the Kansas Cities, in accordance with plans approved by the Chief of Engineers, as amended by further studies, at an estimated cost to the United States for construction of not to exceed \$10,000,000 and an estimated cost of \$8,000,000 for lands and damages to be borne by local interests. The general plan of improvement provides for the construction of levees and flood walls as project units at Argentine, Armourdale, Central Industrial, Fairfax-Jersey Creek, North Kansas City, and East Bottoms; for channel improvement of the Kansas River; for bridge and approach alterations on the Kansas River; and for channel and floodway improvement along the Missouri River. A considerable portion of the work on the Fairfax-Jersey Creek unit and some channel improvement in the Kansas River have been undertaken.

Further studies disclose the advisability of including in the plan a cut-off in the Missouri River at Liberty Bend below the Kansas Cities between miles 357 and 363.7, as this would reduce flood stages and improve the alinement for navigation. The Liberty Bend cut-off, as designed, will reduce the cost of flood protection at the Kansas Cities. Without the cut-off, adequate flood protection at the Kansas Cities cannot be obtained except by encroachment of protective structures upon the Municipal Airport of Kansas City, Mo., with a resultant reduction in its usable area and a disruption of existing airport facilities. Many important industries and facilities lie within the area to be protected, including two airports, one of which is utilized by the Army Air Corps, the Naval Reserve, and the Marine Reserve; defense training schools; a large assembly plant for military aircraft; important stockyards and packing plants; a number of grain storage and

flour milling facilities; vital portions of the important transportation network converging at the Kansas Citys, together with their shops, yards, and other facilities. Furthermore, the proposed cut-off will be beneficial to the lower portions of the Big Blue River Valley and other urban localities.

The Chief of Engineers recommends that the existing project for flood control at the Kansas Citys, which was initiated pursuant to the authority contained in the Flood Control Act of 1936, be modified in accordance with the plan presented in House Document No. 342, Seventy-eighth Congress, first session, including protection for the Union Wire Rope Co. plant on Big Blue River; higher levee grades at the individual levee units contained in the original plan; construction of the Liberty Bend cut-off and protection for the Birmingham district, all at an additional estimated cost of \$8,445,000. The committee concurs in this recommendation.

CHERRY CREEK AND TRIBUTARIES, COLORADO

(H. Doc. No. 426, 76th Cong., 1st sess.)

In the Flood Control Act approved August 18, 1941, and in its report on that bill, the committee recognized the possibility of a major flood on Cherry Creek threatening the city of Denver, Colo., with a major catastrophe. Cherry Creek rises in El Paso County, Colo., flows northerly to join the South Platte River in Denver. The topography of Cherry Creek Basin is such as to cause large floods of great intensity and may descend on Denver with little warning. For the lower $5\frac{1}{2}$ miles of the course, Cherry Creek flows through industrial and residential sections of the city. The great flows which would result from major floods on Cherry Creek would submerge a large part of the central portion of Denver, including important business districts, railroad yards and industrial establishments, and extensive residential areas. Denver is the most important industrial center between the Missouri River and the Pacific coast, and any disruption of the normal activities of that city would be detrimental to the whole country.

With a view to removing the threatened hazard to the city of Denver, Congress in the Flood Control Act of 1941 adopted the project recommended by the Chief of Engineers in House Document No. 426, Seventy-sixth Congress, first session, at an estimated cost of \$10,500,000 and authorized the appropriation of \$3,000,000 for the initiation of that plan. Under this authorization, a large portion of the detailed plans and preliminary work required prior to the initiation of actual construction has been completed, and the committee has included the authorization of \$7,500,000 in this bill in order that the project may be carried to completion in the post-war period.

KNIFE RIVER BASIN

(H. Doc. No. 252, 78th Cong., 1st sess.)

The Knife River rises in the Killdeer Mountains in west central North Dakota and flows generally easterly 165 miles to enter the Missouri River near Stanton. The stream drains an area of 2,625 square miles. The basin, with a population of 18,300 is sparsely settled, the largest towns being Hebron, Beulah, Hazen, and Killdeer, with populations of 1,267, 942, 662, and 650, respectively.

The town of Beulah has suffered three damaging floods since the time of its founding in 1913-14, the largest of which occurred in 1938. The principal flood hazard at Beulah is caused by two normally dry coulees north of the town which are inadequate to carry flood flows. Flood damages at Hazen are caused by overflows of the tributary, Antelope Creek. Hazen has suffered flood damages three times, the greatest of which also occurred in 1938, causing damage estimated at \$31,200.

In a report on the control of floods in the Knife River Basin, the Chief of Engineers recommended a plan of improvement consisting of increasing the channel capacities for the two coulees north of Beulah and constructing levees along the critical portions of the improved channels; and for raising, enlarging, and extending the existing levees and channel improvement at the town of Hazen. The estimated costs of the recommended works are \$26,100 for the town of Beulah and \$6,600 for the town of Hazen.

The committee finds that the benefits expected to accrue from the improvements exceed the cost, and it recommends that the projects be adopted at this time.

MILK RIVER, MONT.

(S. Doc. No. 103, 78th Cong., 1st sess.)

The Milk River is formed by the confluence of its North and South Forks near the St. Mary Lakes in northwestern Montana, flows into Alberta Province, and then southeasterly through Montana, a distance of 625 miles, to its junction with the Missouri River at a point 11 miles below the Fort Peck Dam. It drains an area of 24,326 square miles, of which about two-thirds is in the United States. Major floods in the basin result from rapid spring run-off and heavy spring and early summer rains. The floods resulting from early spring run-off are frequently aggravated by ice jams. Approximately 200,000 acres of agricultural land in the basin are subject to damage. The principal flood areas of the basin are included in the reach of the valley of the main stem of the river from Havre to the mouth and along the lower portions of the larger tributaries. Ten major floods have occurred on Milk River since 1880, while localized floods occur nearly every year.

The Flood Control Act of 1936 authorized local flood protection works at Saco, Glasgow, and Harlem, Mont., at estimated costs to the United States of \$26,800, \$25,800, and \$9,700, respectively. The project at Glasgow has been completed.

As a result of studies by the Corps of Engineers, in accordance with the resolutions of the Senate Committee on Commerce, it has been found advisable to modify the existing project at Harlem, Mont., to provide for flood control by means of a diversion of Thirty Mile Creek and a system of levees, at a total estimated cost to the United States of \$21,100, and the authorization of a project at Havre, consisting of levees and the construction of a diversion channel together with incidental and appurtenant works, at an estimated cost to the United States of \$313,100.

The committee notes that the Milk River was one of the tributaries of the Missouri River suffering extensive damage during the flood in April of this year and it is of the opinion that the works recommended by the Chief of Engineers in the Milk River Basin should be authorized at this time.

BOYER RIVER BASIN

(H. Doc. No. 254, 78th Cong., 1st sess.)

The Boyer River rises near Storm Lake, Iowa, and flows southwesterly about 139 miles to its confluence with the Missouri River, 13 miles north of Council Bluffs. It drains an area of 1,093 square miles. The largest towns in the basin and their populations are as follows: Missouri Valley, 4,200; Denison, 3,900; Logan, 1,700; and Dunlap, 1,500.

The Boyer River Basin is subject to fairly frequent floods, which usually result from ice jams retarding the run-off of spring thaws in March and April, or from intense rains during the late spring and early summer months in that portion of the basin above Denison. Between 1908 and 1939, 8 major floods and 13 minor floods have occurred in the Boyer River Basin. The average annual flood damage at Denison is estimated at \$2,080. Remedial measures recommended by the Chief of Engineers consist of improvement of the East Fork of Boyer River, Iowa, by levees and channel work for the protection of Denison, Iowa, at an estimated cost to the United States of \$17,830.

The committee recommends that the works be adopted in accordance with the recommendations of the Chief of Engineers.

NISHNABOTNA RIVER BASIN

(H. Doc. No. 253, 78th Cong., 1st sess.)

The Nishnabotna River is formed by the confluence of the East and West Nishnabotna Rivers at a point about 4 miles north of Hamburg, Iowa. The two streams rise in Carroll County, Iowa, and flow about a hundred miles generally southerly and parallel to each other, to their junction 12 miles above the mouth of the main stream. The system drains approximately 2,995 square miles.

Bottom lands adjacent to the main stream and its principal tributaries are subject to inundation. During the period of reliable record, 1912 to 1939, 12 floods have caused considerable damage and 15 have caused minor damage. When the Missouri River is high, silt is deposited into the lower channel of the Nishnabotna River within the Missouri River flood plain, thereby aggravating the flood condition. Real property within the city of Hamburg, valued at \$3,000,000, and 30,000 acres of highly developed agricultural lands at and below Hamburg are subject to damage. The future annual flood damage at Hamburg is estimated at \$17,750. The plan for flood protection at Hamburg, recommended by the Chief of Engineers, provides for straightening the river channel including eliminating three sharp bends below the Iowa-Missouri State line, and for raising and enlarging the existing levees from Hamburg to the mouth, at an estimated cost of \$236,000.

The committee concurs in the recommendation of the Chief of Engineers and authorization for this work has been included in the bill.

BEAR CREEK, COLO.

(H. Doc. No. 356, 78th Cong., 1st sess.)

Bear Creek rises in Summit Lake on the eastern slope of the Rocky Mountains in north-central Colorado and flows easterly 45 miles to join the South Platte River near Denver. The watershed has an area

of 265 square miles and is almost entirely of mountainous terrain forming steep narrow stream valleys. Flash floods occur frequently on Bear Creek, usually as a result of intense local cloudburst storms centering over one or more tributary areas. The loss of 44 lives has been attributed to the floods on this stream. The War Department has investigated a reservoir system for flood control and finds that such a system would be impractical because of the number of reservoirs required to insure adequate geographical distribution of the storage and because of the problem of disposition of silt and debris in the reservoir area. The Chief of Engineers recommends a project for enlarging, straightening, and clearing the channel of Bear Creek, for removal of 4 small bridges and for relocation of the Mount Vernon Creek Channel through the town of Morrison at an estimated cost of \$220,000.

The committee notes that the average annual flood-control benefits expected to accrue from the construction of the project are in excess of the annual carrying charges and it recommends the adoption of the project.

OHIO RIVER BASIN

(Flood Control Committee Doc. No. 1, 75th Cong., 1st sess.; H. Doc. No. 685, 77th Cong., 2d sess.; H. Doc. No. 889, 77th Cong., 2d sess.; H. Doc. No. 762, 77th Cong., 2d sess.; S. Doc. No. 105, 78th Cong., 1st sess.; H. Doc. No. 444, 78th Cong., 2d sess.; and reports of the Chief of Engineers on the Cheat and Youghiogheny Rivers submitted to Congress by the Secretary of War on November 26, 1942, and March 29, 1943, respectively)

The Ohio River Basin, including all or a portion of 14 States in the eastern watershed of the Mississippi River, is one of the most important river basins in the United States from an industrial and agricultural standpoint. Since 1900, this area has been visited by 5 disastrous floods and by many smaller ones. The flood of 1936 was most destructive in the section above Wheeling, W. Va. The great flood of 1937 caused damages throughout the entire middle and lower Ohio Valley, estimated at about \$400,000,000, drove 500,000 people from their homes, paralyzed industry and communications, and caused large loss of human life and interruption to orderly development that is impossible to evaluate. The most recent major flood was the 1942-43 New Year's Eve flood on the upper Ohio. At that time, 6 flood control dams were in full or partial operation above Pittsburgh. These reservoirs reduced the crest stage at Pittsburgh by 3 feet and prevented property damage estimated at over \$15,000,000 and reduced flood stages as far downstream as Wheeling, thereby reducing damages in this reach of the Ohio River by an estimated \$14,000,000. The value of flood control works to the Nation is demonstrated by the fact that just 6 reservoirs costing some \$38,250,000 on tributaries of the Ohio River above Pittsburgh prevented, in one flood, damage estimated at about \$29,000,000. It is true that considerable damage resulted from this flood and that it continued in major proportions on down below Cincinnati, but fortunately, the rain did not cover the lower basin and the downstream cities escaped major flood damage.

Congress, in the Flood Control Acts approved June 22, 1936, and August 28, 1937, authorized a number of flood-control projects on tributaries of the Ohio River and by the Flood Control Act of 1938 approved the general comprehensive plan for the Ohio River Basin as a whole and authorized \$125,300,000 for the initiation and partial

accomplishment of that plan. The Flood Control Act of 1941 authorized the appropriation of an additional \$45,000,000 for the prosecution of the approved plan.

Pursuant to these authorizations, 22 reservoirs and 21 local protection projects have been completed and placed in operation or have been carried to the point where they are being operated to provide substantial flood-control benefits. Small amounts of additional work will be needed on some of those projects after the war. In addition, construction of 3 reservoirs and 6 local protection projects has been initiated, but completion of these projects has been suspended during the war.

The present bill modifies the general comprehensive plan approved by the 1938 Flood Control Act to include: Local protection works in the Lake Chautauqua and Chadakoin River area at an estimated cost to the United States of \$135,500, as recommended in the House Document No. 685, Seventy-seventh Congress, second session; local flood-protection works at Dillonvale and Adena on Short Creek, Ohio, at an estimated cost to the United States of \$158,200 in accordance with the recommendations in House Document No. 889, Seventy-seventh Congress, second session; local protection works on Salt River at Taylorsville, Ky., at an estimated cost to the United States of \$129,350 in accordance with Senate Document No. 105, Seventy-eighth Congress, first session; local flood-protection works at Latrobe on Loyalhanna Creek, Pa., at an estimated cost to the United States of \$112,500 in accordance with House Document No. 444, Seventy-eighth Congress, second session; a reservoir at the Burr Oak site on a tributary of the Hocking River, Ohio, at an estimated cost to the United States of \$400,000 in accordance with the recommendations in House Document No. 762, Seventy-seventh Congress, second session; the Rowlesburg Reservoir on the Cheat River at an estimated cost of \$29,230,000 for flood control and the development of hydroelectric power in accordance with the recommendations of the Chief of Engineers in a report submitted to Congress by the Secretary of War on November 26, 1942; and a system of reservoirs on the Youghiogheny River for flood control and the development of hydroelectric power at an estimated cost of \$37,970,000 in accordance with the recommendations of the Chief of Engineers in a report submitted to Congress by the Secretary of War on March 29, 1943. The bill puts the aforementioned projects into the approved comprehensive basin plan and makes them eligible for selection by the Chief of Engineers for construction under the authorizations made available for the prosecution of the comprehensive plan.

Communities in the Ohio River Valley are now largely engaged in war production which, as the war comes to an end, will be cut back drastically with resultant acute problems of readjustment to peacetime activities. Flood-control construction will aid materially in providing employment for the transition period in the Ohio River Basin. The committee believes that the important flood-control work in the Ohio River Basin should be resumed on a large scale as soon as possible. The bill proposes an additional authorization of \$70,000,000 for the prosecution of the comprehensive plan. This will enable the Corps of Engineers to prepare detailed designs and specifications for additional reservoirs and local protection projects in the Ohio River Basin and have them fully ready for prompt

initiation when the present restrictions on the initiation of Federal public works have been lifted.

GREAT LAKES BASIN

MOOSE AND BLACK RIVERS, N. Y.

(H. Doc. No. 405, 77th Cong., 1st sess.)

Black River rises in Herkimer County in northern New York, flows in a winding course generally northwest, and discharges into Black River Bay, an arm of Lake Ontario. It is 115 miles long and drains an area of 1,917 square miles. Moose River, principal tributary of Black River, has its headwaters in Hamilton County northeast of Black River headwaters, flows generally west and joins Black River at Lyons Falls, 72 miles above the mouth. It drains an area of 434 square miles. The entire basin has a population of about 74,000; Watertown, with a population of 32,000, is the largest city.

Black River and several of its tributaries are extensively developed for power for use by mills and for public consumption, with total installed capacity of 170,600 horsepower. Considerable unused fall is still available for development. In 1919 the Black River regulating district, a State agency, was organized to regulate stream flow in the primary interest of downstream power development. This agency now also has authority to improve river channels for flood control. The regulating district has constructed one reservoir with storage capacity of 103,000 acre-feet and operates two small reservoirs with aggregate capacity of 23,000 acre-feet which were originally built by the State in connection with the Erie Canal. The regulating district has an official plan for the further regulation of Black River which contemplates construction of at least three more reservoirs. The largest of these proposed reservoirs, which would be at the Panther Mountain site on Moose River, is ready for construction as soon as financing is arranged, and a large part of the necessary lands has already been acquired.

Floods on Black River overflow parts of the bottom lands bordering the river between Lyons Falls and Carthage one or more times each year, while larger floods inundate all of these lands, aggregating about 17,000 acres. The greatest flood of record on Black River was that of December 1901, when the peak discharge at Watertown was 49,000 cubic feet per second. It is estimated that a flood of 80,000 cubic feet per second is a possibility. Average annual direct and indirect flood damages are estimated at \$183,000.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a reservoir at the Panther Mountain site with a gross storage capacity of 278,000 acre-feet, of which 44,000 acre-feet would be reserved solely for flood control use and the remaining 234,000 acre-feet would be used for stream flow regulation, at an estimated first cost of \$3,800,000. His recommendation also provides that local agencies furnish without cost to the United States all available plans, hydraulic and geological studies, results of underground explorations, and other available information on the project and furnish all lands, easements and rights-of-way necessary for the construction of the project estimated at \$250,000; hold and save the United States free from claims for damages resulting from the construction of the works; maintain all the works and operate that portion of the

reservoir storage reserved for flood control purposes in accordance with regulations prescribed by the Secretary of War and that upon completion of the works they will contribute the sum of \$2,950,000 toward the first cost of constructing the project.

The committee believes that the average annual flood-control benefits expected to accrue from construction of the project, amply justify the proposed Federal investment of \$600,000 in the construction of the Panther Mountain Reservoir. It notes that the Black River regulating district desires construction of the Panther Mountain Reservoir in the combined interest of flood control and stream flow regulation and has indicated its willingness to participate in the first cost of the project in proportion to the allocation of storage space as between flood control and stream flow regulation and to maintain and operate the project under regulations prescribed by the Secretary of War, insofar as the operation of the flood-control storage is concerned. The committee recommends the adoption of the project.

CHITTENANGO CREEK AND TRIBUTARIES, NEW YORK

(H. Doc. 625, 77th Cong., 2d sess.)

Chittenango Creek rises in central New York, flows north 50 miles and empties into Oneida Lake, which, in turn, has an outlet into Lake Ontario, through the Oneida and Oswego Rivers. The drainage area of Chittenango Creek is 326 square miles. Approximately equal areas are drained by the main stream and its two principal tributaries, Limestone and Butternut Creeks, which flow north generally parallel with the main stream and join it near its mouth. In 1930 the basin had a population of 33,000, including 10,000 in the city of Syracuse. Flooding is comparatively frequent along the lower reaches of Chittenango Creek and its tributaries. Extreme floods occurred in 1898 and 1915 and in recent years two or more high-water periods have been experienced nearly every year. The average flood flow inundates 8,000 acres of agricultural lands in the principal flood area in the lower basin. The average annual direct and indirect flood damages in the agricultural areas are estimated at \$22,000. Damages in the villages of Fayetteville and Chittenango average \$7,000 annually.

The plan of flood protection found most suitable by the Chief of Engineers for obtaining flood relief involves channel improvements along the lower 40 miles of Chittenango, Limestone, and Butternut Creeks, at an estimated first cost of \$136,000 for construction and \$7,000 for rights-of-way. The Chief of Engineers recommends construction of the proposed work at an estimated cost of \$111,000 to the United States, subject to the provision that local interests contribute \$25,000 toward the construction cost in addition to providing the usual local cooperation.

The Flood Control Committee is of the opinion that the measures proposed by the Chief of Engineers are justified economically and recommends adoption of the project.

OWASCO INLET, OWASCO OUTLET, AND THEIR TRIBUTARIES, TOMPKINS AND CAYUGA COUNTIES, N. Y.

(H. Doc. No. 815, 77th Cong., 2d sess.)

Owasco Inlet rises near Freecville, N. Y., and flows northward 20 miles through a narrow valley to Owasco Lake. The lake empties into Owasco Outlet which flows northward 16 miles and discharges into Seneca River. Crane Brook, draining an area immediately west of the Owasco Basin, is 21 miles long and flows in a generally northward direction to the Seneca River. Cold Spring Brook and its eastern tributary, Jericho Brook, which drain the watershed east of Owasco Outlet, flow in a generally northward direction and empty into Seneca River $1\frac{1}{2}$ miles below their junction. The population in the area totals about 53,000, including 36,000 in the city of Auburn on Owasco Outlet near the lake.

Floods occur almost annually in the area at the time of the spring break-up and occasionally at other times as the result of heavy precipitation. They affect farm lands and the villages of Locke on Owasco Inlet; Moravia and Montville on Montville Creek, a tributary of the inlet; and Port Byron on Owasco Outlet; and cause average annual damages estimated at \$42,300. A project designed to alleviate flood conditions along the shore of Owasco Lake and in the city of Auburn was authorized by the Flood Control Act of August 18, 1941. The authorized project in this area provides for excavation of the channel of Owasco Outlet from Owasco Lake to the State dam at Auburn and for the reconstruction of the dam with removal of obstructions to be accomplished by local interests.

The need for further flood control in this area has been investigated by the Chief of Engineers. He finds that substantial flood protection can be provided at a cost commensurate with the benefits for the village of Moravia and for the agricultural land along the Owasco Inlet between Dry Creek and the lake and along State Ditch and Crane Brook. He recommends improvement of Owasco Inlet, Montville Creek, and Dry Creek at a total estimated cost of \$83,000, of which \$48,700 would be chargeable to the United States; improvement of State ditch and Owasco Outlet at an estimated cost of \$17,000, of which \$13,100 would be chargeable to the United States; and improvement of Crane Brook at an estimated cost of \$2,700, of which \$2,400 would be chargeable to the United States.

The committee believes that the improvements proposed by the Chief of Engineers are in the public interest and recommends the adoption of the project.

COLORADO RIVER BASIN

CONCHO RIVER

(H. Doc. No. 315, 76th Cong., 1st sess.)

The Concho River Basin has suffered severe flood damage over many years. The largest flood of record occurred in September 1936, when flood losses amounted to over \$2,000,000. The most serious problem in the watershed exists in the valley of the North Concho River at and near San Angelo, Tex., where the damage from the 1936 flood amounted to \$1,400,000. In order to reduce the flood

hazard in this valley, Congress, by the act of August 18, 1941, approved the construction of a flood-control dam and reservoir on the North Concho River upstream from San Angelo, and local protection works through the city of San Angelo, at an estimated cost of \$6,800,000 to the United States. The 1941 act authorized \$2,000,000 for the initiation and partial accomplishment of this plan. The detailed plans and specifications for these works are now being prepared and the bill authorizes completion of the approved plan at an estimated additional cost of \$4,800,000.

PECAN BAYOU

(H. Doc. No. 370, 76th Cong., 1st sess.)

Pecan Bayou rises in central Texas and flows generally southeast a distance of 130 miles through generally rolling to rough country. The basin drains an area of 2,200 square miles, having a population of 49,000. Frequent floods on Pecan Bayou and its tributaries cause extensive flood damages which are especially severe on Hords Creek in the vicinity of Coleman, Tex., and along the lower portions of Pecan Bayou, where the town of Brownwood and 23,500 acres of land are subject to inundation.

Congress in the Flood Control Act of 1941 approved the construction of the Hords Creek Reservoir and the enlargement of the existing Lake Brownwood Reservoir, and authorized the appropriation of \$1,400,000 for the initiation and partial accomplishment of the approved plan.

Detailed plans for the construction of Hords Creek Reservoir and for the enlargement of Lake Brownwood Reservoir are in preparation. The committee feel that full authorization should be available for completion of these works. The bill therefore increases the authorization in the estimated additional amount of \$1,560,000.

BRAZOS RIVER BASIN

(H. Doc. No. 390, 76th Cong., 1st sess.)

Floods are comparatively frequent on the Brazos River and cause extensive damage to urban improvements and to farm crops and property. Several examinations and surveys of this stream and its tributaries for flood control, navigation, and water conservation are now in progress under authority from Congress. These studies confirm the conclusions of previous studies which have shown that the construction of a dam at the Whitney site on the Brazos River will be an integral part of any comprehensive plan for the development of the entire stream and that the need for flood protection for the town of Waco justifies its construction prior to the completion of the comprehensive plan.

In 1940 and 1941 the Flood Control Committee held extensive hearings on this project and reported that the reservoir should be constructed as a multiple-purpose project for flood control, water conservation, and the development of hydroelectric power. The Flood Control Act of 1941 approved the construction of the Whitney Reservoir and authorized the sum of \$5,000,000 for the initiation of the project. The bill proposes authorization for the completion of the

plan approved in the act of August 18, 1941, at an estimated additional amount of \$15,000,000.

RIO GRANDE BASIN

(S. Doc. No. 104, 78th Cong., 1st sess.)

Under authority of a resolution adopted by the Committee on Commerce of the United States Senate, the Chief of Engineers has investigated the flood situation in the Rio Grande Basin in the vicinity of Creede, Colo. Creede, the county seat of Mineral County, Colo., is a mining town located on Willow Creek, a small headwater tributary of the Rio Grande. Willow Creek drains an area of 36 square miles and is formed by the confluence of the East Willow and West Willow Creeks about 4,000 feet upstream from the town of Creede. Creede is located on the detrital cone formed by Willow Creek at the mouth of its canyon. A wooden flume constructed between 1895 and 1910 with an initial capacity of about 1,800 cubic feet per second has carried the flow of Willow Creek through the town but the flume has now reached the limits of its usefulness and can no longer be depended upon to carry the floods. The Chief of Engineers recommends the construction of a new flume, approximately 3,350 feet long following the same alinement as the existing structure, at an estimated cost to the United States of \$68,500.

The committee notes that Creede is the principal gateway to an important mining region. Since the present wooden flume is now in a state of impending total failure, it will be necessary to provide a replacement if serious damage and loss of human life from floods are to be prevented in the future. The committee recommends the authorization of the project.

SAN DIEGO RIVER, CALIF.

(H. Doc. No. 635, 77th Cong., 2d sess.)

San Diego River has its source on the tableland in the Cuyamaca Mountains, near Santa Ysabel, Calif., and flows southwesterly to the Pacific Ocean through Mission Bay north of the city of San Diego. The entire San Diego River system is under investigation at the present time. However, the flood situation at the city of San Diego is such as to make it highly desirable that flood protection be provided for that community, particularly for the United States Marine Corps base, the United States naval training station, the Consolidated Aircraft plants, Federal Housing units, and a considerable amount of private residential and industrial developments, prior to the development of a comprehensive system of flood control for the entire basin.

Studies by the Corps of Engineers indicate that local flood protection for the city of San Diego, Calif., as proposed in the present interim report will be an integral part of any comprehensive plan of flood control in this basin. The plan of protection recommended by the Chief of Engineers consists of construction of a levee in the approximate location of the existing dike, making use of the latter where found practicable at the time the work is undertaken. The estimated cost of the work recommended is \$350,000 for construction and \$20,000 for lands, rights-of-way, and drainage installations. In view of the importance of protecting Federal activities in the area and in

order that the protection of Government property be not dependent upon local cooperation, the Board of Engineers for Rivers and Harbors and the Chief of Engineers recommend that the United States bear the total first cost of the improvement and maintain the works after completion.

The committee is of the opinion that flood protection for the Federal property in this area warrants a deviation from the usual conditions of local cooperation and that in this case the entire cost of the local protection projects should be borne by the Federal Government. The committee accordingly recommends adoption of the project on this basis.

VENTURA RIVER, VENTURA COUNTY, CALIF.

(H. Doc. No. 323, 77th Cong., 1st sess.)

Ventura River has its source in the Santa Ynez Mountains in southern California, flows south 32 miles and empties into the Pacific Ocean at Ventura, about 60 miles northwest of Los Angeles. The watershed has an area of 228 square miles, nearly half of which is mountainous with elevations ranging up to 6,000 feet above sea level. A serious flood problem exists in and near the city of Ventura on lower Ventura River and in the city of Ojai below Stewart Canyon. The area subject to overflow amounts to about one-third of the valuable land in the basin and has a population of around three-fourths of the total basin population. Direct flood damages in the basin during the March 1938 flood amounted to \$777,000.

The Chief of Engineers finds that the most economical plan of flood protection in this basin is one providing for a levee on the left bank of the Ventura River to protect the city of Ventura and for a debris basin at the mouth of Stewart Canyon with a concrete channel to carry flood flows through Ojai. The estimated cost of the project to the United States is \$1,600,000.

The committee notes that most of the development along the lower river is concentrated in the areas which would receive protection from this project. It believes that the benefits which would result from the elimination of the flood menace and the prevention of a serious loss of life amply justify the construction of the project and it recommends authorization by Congress.

SANTA ANA RIVER BASIN

The Santa Ana River and its upper tributaries have their source on the southern slope of the San Bernardino Mountains. The river proper flows about 27 miles through a rugged mountainous region emerging into a wide outwash area at the base of the mountains, thence southwesterly a distance of 43 miles to the head of the Santa Ana Canyon, and thence through the canyon and the Coastal Plain a distance of 30 miles into the Pacific Ocean through an artificial cut northwest of the city of Newport Beach. The beach comprises an area of 2,476 square miles southeast of Los Angeles.

From the standpoint of property damage and loss of life, the 1938 flood in the Santa Ana River Basin was the most severe of record, with property damage estimated at \$21,000,000 and loss of 43 lives. While greater floods in the Santa Ana River Basin occurred in 1862,

1876, 1884, and 1891, records of damage from these floods are incomplete. The destruction of highways and main line railroads in 1938 not only resulted in serious local damage but caused widespread losses due to interruption of transportation facilities. The most recent flood in this area occurred on January 21-23, 1943, on certain tributaries of Santa Ana River in San Bernardino and Riverside Counties, Calif., when a 3-day heavy general winter storm produced a total average rainfall of about 22 inches in the mountainous parts of the drainage area, resulting in direct and indirect flood damages estimated at \$1,840,300, of which \$1,485,900 occurred on Lytle Creek. In addition, one person drowned in the floodwaters of Lytle Creek and the normal activities of the flooded communities were disrupted. Additional intangible damages also occurred as a result of interruption in the transportation of war shipments. The effect of these floods on railroads is described in a report of the Corps of Engineers which shows that of the \$1,840,300 damage suffered from this flood in the Santa Ana Basin, \$831,000 represented damage to railroads. A similar proportion existed on Lytle Creek where \$822,500 of the total damages amounting to \$1,485,900 were suffered by the railroads.

With a view to relieving the flood hazards in this valley, Congress in the 1936 Flood Control Act authorized the construction of reservoirs and related flood-control works for the protection of the metropolitan area in Orange County, Calif. The project adopted in that Act was modified by the 1938 Flood Control Act to provide for the control of floods on the San Antonio and Chino Creeks. The modified plan provides for the construction of nine reservoirs and channel improvement on San Antonio and Chino Creeks. The Prado, Brea, and Fullerton Reservoirs have been completed and are in operation. These reservoirs substantially reduced flood damages in the Santa Ana River Basin during the flood of January 1943. Detailed planning is under way for the San Antonio, San Juan, and Carbon Canyon debris basins and for the channel improvement work on San Antonio and Chino Creeks.

Following the destructive flood in January of 1943, the Chief of Engineers prepared an interim report on the Santa Ana River covering Lytle and Cajon Creeks under authority contained in the Flood Control Act approved August 28, 1937. In this report the Chief of Engineers recommends the construction of a combination of levees and groins on Lytle and Cajon Creeks above Foothill Boulevard in San Bernardino County, Calif., the construction of an improved channel generally along the west branch of Lytle Creek below Foothill Boulevard, and use of the existing east branch as a bypass for excess flows, with such modifications thereof as in the discretion of the Secretary of War and Chief of Engineers may be advisable, at an estimated cost to the United States of \$8,055,000.

The committee held extensive hearings in June of 1943 and February of 1944 on the Santa Ana River Basin project and on the interim report covering Lytle and Cajon Creeks. In view of the effect of floods on important transcontinental railway communications which extend through Cajon Pass between southwestern California and the industrial east and midwestern parts of the country, the committee recommend adoption at this time of the project for Lytle and Cajon Creeks. For the accomplishment of the work on Lytle and Cajon Creeks, and for continuation of work on the approved plans for flood control in the

Santa Ana River Basin and for the protection of the metropolitan area in Orange County, the committee recommend modification of the existing project and an additional authorization at this time of \$10,000,000.

LOS ANGELES AND SAN GABRIEL RIVER BASINS AND BALLONA CREEK, CALIF.

(H. Doc. No. 838, 76th Cong., 3d sess.)

The Los Angeles County drainage area, consisting of the watersheds of Los Angeles and San Gabriel Rivers and Ballona Creek, comprises an area of 1,717 square miles. In 1940 the population within the overflow area exceeded 800,000 and the value of property subject to flood damage was more than \$1,000,000,000. Four plants located in an area that would be directly affected by floodwaters in these streams have been engaged on war contracts which in 1941 exceeded a total value of \$375,000,000. In addition to these plants, other industries engaged in war production would be indirectly affected by floodwaters due to interruption of transportation facilities. The aggregate amounts of primary contracts held by these latter companies exceeded \$582,000,000. Due to the recent expansion of the war industries in this area, both the property value and population within the overflow area have increased rapidly.

These streams are subject to sudden and destructive floods resulting from rapid run-off from mountainous areas. The 1938 flood caused a loss of 49 lives and property damage estimated at \$40,400,000. Floods passing through the densely populated residential areas completely destroy many homes and leave in their places broad areas strewn with sand, gravel, and boulders. One flood from a small tributary left 40-ton boulders on a paved highway.

Congress, in the Flood Control Act of 1936, authorized a flood control project for the Los Angeles-San Gabriel River Basin, involving construction of reservoirs and principal flood channels. In the 1941 Flood Control Act Congress approved a comprehensive plan for flood control in this basin embracing the 1936 project with important extensions and additions at an estimated additional cost to the United States of \$163,500,000 and for the initiation and partial accomplishment thereof authorized the appropriation of \$25,000,000. A number of reservoirs and debris basins and extensive flood channels have been completed and placed in operation and detailed plans and specifications are now under way for additional units.

The bill proposes an additional authorization of \$25,000,000 for the prosecution of the comprehensive plan. This will enable the Corps of Engineers to proceed with the construction of additional items in the comprehensive plan to provide much-needed flood protection and to assist in readjustment to peace in this highly industrialized region.

SACRAMENTO-SAN JOAQUIN RIVER BASINS

The watersheds of the Sacramento and San Joaquin Rivers and their tributaries form the great Central Valley of California, which occupies more than 59,000 square miles in the northern and central portions of the State. The Central Valley is entirely surrounded by mountains or mountain spurs while the valley floor consists of a sloping alluvial plain which is of great agricultural importance to the State and to the Nation.

SACRAMENTO RIVER

The existing project for flood control on the Sacramento River, Calif., was adopted by the Flood Control Act of March 1, 1917, and has been modified by subsequent acts of Congress. The Flood Control Act of August 18, 1941, modified and extended the existing project for the Sacramento River to increase the protection of 1,000,000 acres of land lying within the area of the existing project which were in danger of serious flooding from the overtopping of levees not yet completed to project grade or from possible failure of levees of insufficient section. That act authorized an additional \$10,500,000 for the completion of work planned under the existing project and its modification in addition to the previous authorizations which limited Federal participation to a total of \$20,100,000.

The Sacramento River Valley is one of the most highly productive regions in the United States and numerous specialized crops are grown in this area. Transcontinental railroads and interstate highways of great military importance traverse the valley.

At the committee's request in the recent hearings, the report of the Board of Engineers for Rivers and Harbors on an interim report covering the Sacramento River and tributaries from Collinsville to Shasta Dam was made available to the committee. In that report the Board of Engineers stated that the most urgent need of the area at this time is additional flood protection which can be provided to a considerable extent by the construction of the low Table Mountain Dam, the construction of Black Butte Dam on Stony Creek, the extension of the existing flood control project, and the construction of levees and channels unrelated to the existing project on the Sacramento River, all at an estimated cost to the United States of \$46,056,000. This initial work would make possible the reclamation of Butte Basin, materially improve the degree of protection along the Sacramento River, and give protection to certain localities which lie outside the limits of the existing flood-control project. The committee concurring with the Board recommends further modification of the existing project to embrace these works and proposes an authorization of \$15,000,000 for carrying on the modified project. Subsequent to the hearings, the committee has received a number of communications from local interests in the vicinity of the Table Mountain Reservoir project expressing strong opposition to any high dam at that site, as would be necessary for the ultimate plan of comprehensive development outlined in the Board of Engineers' report. Since the flood-control needs can be met by the recommended low dam the bill includes a proviso stating that the modification of the project shall not be construed to authorize the high dam.

SAN JOAQUIN RIVER BASIN

KERN RIVER, CALIF.

(H. Doc. No. 513, 78th Cong., 2d sess.)

Kern River draining an area of some 2,400 square miles on the western slope of the Sierra Nevada Mountains is the most southerly of the major streams flowing into the San Joaquin Valley. The river is formed by the confluence of the North and South Forks near the town of Isabella, flows southwest 72 miles past the city of Bakersfield

to a point just north of Buena Vista Lake where its waters are either diverted into the Buena Vista Lake Basin for temporary storage or are carried toward Tulare Lake Basin by improved flood and irrigation channels. Under normal conditions of run-off the flow of Kern River below Bakersfield is gradually dissipated by irrigation diversions so that Kern River water reaches Tulare Lake Basin only during large floods.

Kern River floods are of frequent occurrence and fall into two types, those which occur during the winter months as a result of intense rainfall in the mountains and foothills, and those which come in the late spring as a result of melting snows. Since February 1937, there have been two winter floods and two late spring floods on Kern River. Winter floods cause extensive damage to levees and irrigation structures and seriously threaten inundation of Bakersfield. Late spring floods cause little damage in the upper delta but cause flooding of up to 15,000 acres of reclaimed land in Buena Vista Lake, cause inundation of some 110,000 acres along the various channels southeast of Tulare Lake, and with the Kings, Kaweah, and Tule Rivers contribute to flooding of agricultural lands in the Tulare Lake Basin. Inundated areas in Buena Vista and Tulare Lake remain out of production for 1 or more years until the water is dissipated through evaporation or irrigation use. Flood damages due to Kern River floods average \$879,000 annually. Of this sum \$441,000 represents the proportionate part of the damage in the Tulare Lake Basin caused by flood waters of Kern River.

Plans found most suitable by the Chief of Engineers for improvement in the Kern River area provide for the construction of a storage reservoir at the Isabella site and for its operation in the combined interests of flood control and water conservation. The report of the Chief of Engineers proposes that the cost of the Isabella Reservoir be borne jointly by the United States and the water users, the United States bearing the cost for flood protection and the water users paying the cost for irrigation storage either in a lump sum or in annual installments.

In the hearings of 1943 and 1944 on this bill and also in the hearings of 1941, the committee has given local interests full opportunity to express their views. The committee has also called the Commissioner of Reclamation and his representatives to testify regarding the Bureau's plans for the Kern River. Local interests have convinced the committee that there is urgent need for flood control on the Kern River and that protection can best be provided by the construction of the Isabella Dam for flood control with secondary benefits from water conservation. Local interests have been unanimous in their statements that they are willing and able to pay for the irrigation benefits received and that they desire that the project be constructed and operated by the Corps of Engineers, since its dominant purpose is flood control. After very thorough consideration of the reports of the Corps of Engineers and the Bureau of Reclamation and the testimony of witnesses, the committee recommends authorization of the Kern River project at an estimated cost of \$6,800,000, the works to be constructed, operated, and maintained under the direction of the Secretary of War and the supervision of the Chief of Engineers. The committee believes that the interests of the Bureau of Reclamation are fully safeguarded by the cooperative procedures recommended by

the Chief of Engineers in his report, which recommendations attain the force of law through adoption of the report in the bill.

KAWEAH AND TULE RIVERS

(Flood Control Committee Doc. No. 1, 78th Cong., 2d sess.)

Kaweah River, with a watershed area of 1,250 square miles, rises in the glacial lakes of the Sierra Nevada and flows southwesterly through low foothills to the floor of the San Joaquin Valley. At this point the river divides into two forks, one known as St. Johns River which joins with Cottonwood and Cross Creeks and empties into the Tulare Lake Basin; the other, continuing as Kaweah River, flows about 4 miles southwesterly, where it divides into numerous channels which unite with Tule River or Cross Creek to enter Tulare Lake Basin. Tule River, having a watershed area of 630 square miles, drains the western slope of the Great Western Divide immediately south of the Kaweah watershed. The Tule River is formed by its North and Middle Forks near Springville and flows thence southwesterly and westerly across the alluvial fan to Tulare Lake Basin. Principal activities in the Kaweah and Tule areas include raising and processing of agricultural products, production of petroleum and minerals, and a limited amount of manufacturing.

Hydrological conditions in the Kaweah-Tule areas are peculiar to the south San Joaquin Valley and differ from those generally encountered in other sections of the country. The greater part of the precipitation in this area occurs in the form of snow in the mountainous regions. Floods of comparative frequency on the Kaweah and Tule Rivers are of two distinct types, those which occur during the winter months as a result of intense rainfall in the mountains and foothills and those which come in the late spring as a result of melting snow in the headwater area. Winter floods cause overflow and damage in the upper delta areas but their floodwaters seldom reach Tulare Lake Basin. Spring floods have a much larger total run-off volume and generally inundate areas along the lower reaches of the streams and in the Tulare Lake Basin with floods of major proportions causing extensive overflow damages. It is estimated that damages from Kaweah River floods average \$285,000 annually and that damages attributable to Tule River floods average \$216,500 annually. In addition to these direct losses, substantial indirect and intangible losses not susceptible of direct valuation occur.

The plan of improvement recommended by the Chief of Engineers and contained in Flood Control Committee Document No. 1, Seventy-eighth Congress, second session, provides for the construction of a storage reservoir on Kaweah River at the Terminus site, to be operated in the combined interests of flood control and water conservation, and for the use of available spreading facilities for the dissipation of floodwaters and the replenishment of ground-water supplies, at an estimated cost of \$4,600,000. The plan found most suitable in the Tule River Basin provides for construction of a storage reservoir at the Success site to be operated in the combined interests of flood control and water conservation and for use of available spreading facilities for the dissipation of floodwaters and the replenishment of ground-water supplies at an estimated cost of \$3,450,000.

In the opinion of the Flood Control Committee, the Terminus and Success projects will provide urgently needed flood control on the Kaweah and Tule Rivers. It believes that in order to insure the expected flood control benefits the reservoirs should be constructed, operated, and maintained under the direction of the Secretary of War and the supervision of the Chief of Engineers, with arrangements for payment by the State or other responsible agency to the United States for the conservation storage when used, all as recommended by the Chief of Engineers. The committee recommends approval of the plan for the Kaweah and Tule Rivers and authorization of \$4, 600,000 for initiation and partial accomplishment thereof.

KINGS RIVER AND TULARE LAKE BASIN

(H. D. No. 630, 76th Cong., 2d sess.)

Kings River rises on the western slope of the Sierra-Nevada in Fresno County, Calif. The upper basin above the town of Piedra is rugged and mountainous while below Piedra the river enters a relatively flat alluvial valley where it divides, one branch known as Fresno Slough flowing north to join the San Joaquin River and the other turning south to Tulare Lake. The area below Piedra, including Tulare Lake, is known as the Kings River Service Area. Of the 1,000,000 acres in the service area, some 850,000 acres are farm land generally under intensive irrigation.

The floods which occur on the Kings River are generally of the two types that occur throughout the San Joaquin River Basin. Since May 1937 five floods have occurred on the Kings River or Tulare Lake, three being of the winter type caused by intense rainfall and two of the late spring type caused by melting snow in the upper watershed area. A total of over 236,000 acres of high grade farm land are subject to overflow and the areas inundated in Tulare Lake Basin are kept out of production from 1 to several years. The average annual flood damages in the Kings River service area are in excess of \$1,300,000.

The plan of flood protection recommended by the Chief of Engineers provides for the construction of a reservoir on Kings River at the Pine Flat site for flood control and water conservation together with channel improvements on Kings River at an estimated cost of \$19,700,000. The Flood Control Committee is of the opinion that the cost of the Pine Flat Reservoir should be borne jointly by the United States and the water users, the United States bearing the cost for flood protection and the water users the cost for irrigation storage either by lump sum payment or in annual installments, with the division of cost to be determined by the Secretary of War on the basis of continuing studies by the Bureau of Reclamation, the War Department, and local organizations.

The Kings River project has also been the subject of a report submitted in 1940 by the Bureau of Reclamation. The structures proposed are essentially those recommended by the Corps of Engineers but the Bureau of Reclamation recommends that the project be operated by the Bureau and that the provisions of reclamation law be applied thereto. The Bureau considers that the project is now authorized under reclamation law but no funds have yet been appropriated for detailed planning or construction and no work has been undertaken.

The committee has heard extensive testimony from local interests and has questioned the Chief of Engineers and the Commissioner of Reclamation at length in hearings in 1941, 1943, and 1944. Local interests have all impressed the committee with the seriousness of the flood hazard and their desire that the proposed works be constructed as soon as possible. They are practically unanimous in their statements that the dominant interest in the project is flood control with irrigation of secondary consideration. Such irrigation benefits as would result would accrue to land now already developed without bringing into production additional arid land. Local interests are so strongly in opposition to a project built under reclamation law that they have stated that rather than have the project built by the Bureau of Reclamation they prefer no Federal project at all.

After very careful consideration of the reports, the communications of the President which are printed in the hearings, and the testimony and written statements in the hearings, the committee is convinced that the project should be authorized by Congress as a flood-control project with adequate safeguards for the interests of the Bureau of Reclamation. The committee believes that these safeguards are fully covered in the language contained in the bill. The committee therefore recommends authorization of the project as proposed in the bill at an estimated cost of \$19,700,000.

MERCED COUNTY STREAM GROUP, CALIFORNIA

(H. D. No. 473, 78th Cong., 2d Sess.)

The streams comprising the Merced County stream group rise in the Sierra Nevada foothills of California and flow in a generally westerly direction to join the San Joaquin River west of the city of Merced. The streams form three general groups: Bear Creek, with its tributaries Black Rascal, Canal, Fahrens, and Burns Creeks; Mariposa Creek with its tributaries Miles and Owens Creeks; and Deadmans Creek with its tributaries, Little Deadmans, Big Deadmans and Dutchmans Creeks. The Deadmans Creek group crosses an undeveloped area of low-grade pasture land for which improvements for flood control and related works would not be warranted. The remainder of the Merced County stream group drains an area of 392 square miles ranging from mountainous to low foothills and a lower area of 312 square miles of broad alluvial valley.

Floods on these streams are caused by heavy rainfall in the foothills and mountains during winter months. The area has experienced 16 damaging floods in the past 40 years. The total area of 136,000 acres subject to flooding includes a substantial portion of the developed area of the Merced irrigation district. The War Department estimates that future flood damages in the Merced County stream group will average \$92,700 annually.

Plans found most suitable by the Chief of Engineers for improvement in the Merced County stream group provide for the construction of four small detention reservoirs in the foothill area with aggregate storage capacity of 32,000 acre-feet; the construction of two diversion canals to distribute flood waters between various channels; completion of the enlargement of Miles Creek previously undertaken by local interests, and clearing of obstructions from other channels, all at an estimated cost to the United States of \$1,300,000.

The committee finds that the improvements recommended by the Chief of Engineers will eliminate practically all damage resulting from floods on Black Rascal, Burns, Bear, Miles, Owen, and Mariposa Creeks. In addition, it is of the opinion that high-ground water conditions which are serious in the Merced County stream group would be greatly improved because of the better drainage resulting from the channel clearing and flood-water detention. The committee recommends the adoption of the project.

LOWER SAN JOAQUIN RIVER

(Flood Control Committee Doc. No. 2, 78th Cong., 2d sess.)

The lower San Joaquin River group of streams comprises the San Joaquin River and its tributaries north of Kings River and those other streams tributary to Tulare Lake Basin which together constitute the south half of the San Joaquin Valley and which except during major floods contribute no run-off to the San Joaquin River. The San Joaquin River has its source in the Sierra Nevada, flows generally southwesterly through the mountains and foothills to the vicinity of Friant where it enters the flat alluvial valley through which it flows west 60 miles to Mendota. At Mendota the river turns northwest and flows 157 miles to Mossdale at the head of the San Joaquin Delta which is an extensive area of reclaimed tidal swamp lands through which the river flows with numerous side channels and sloughs to join the Sacramento River at the head of Suisun Bay near Antioch. The river drains an area of 17,000 square miles, exclusive of the Tulare Lake Basin drainage area. Merced, Tuolumne, Stanislaus, and Mokelumne Rivers, which are the principal tributaries of the San Joaquin River, also have their source in the Sierra Nevada, and flow generally westerly through the mountains and foothills to enter the alluvial valley and join the main river from the east in its lower reaches.

Floods which are comparatively frequent on the San Joaquin River and its tributaries are of two types, those that occur during the winter as a result of intense rainfall and those which come in the late spring as a result of melting snow in the mountain areas. Since 1900 there have been 38 floods of damaging magnitude on the major streams of the San Joaquin River group, 15 of which resulted primarily from rain while the remaining 23 were caused by melting snow. The area subject to inundation in the San Joaquin Valley above the head of the Delta is approximately 390,000 acres of which 160,000 acres are partially protected by levees. In the Delta, 279,000 acres have been protected by levees against ordinary floods on the San Joaquin River and Sacramento Rivers, but due to the limited heights to which levees can be built, these lands may be inundated by major floods on the two rivers. The War Department estimates that direct flood damages along the San Joaquin Valley and in the San Joaquin Delta area will average \$1,425,000 annually.

The Chief of Engineers has investigated the flood situation along the lower San Joaquin River and its tributaries, in response to the authorizations contained in the Flood Control Act approved June 22, 1936. He finds that the most feasible plan of improvement in this area consists of the construction of the New Melones Reservoir on

the Stanislaus River for flood control and other purposes at an estimated first cost of \$7,210,000; Federal participation with San Francisco and with other local interests in the New Don Pedro or other suitable reservoirs in the Tuolumne Basin to the extent justified by proportionate benefits for flood control, now estimated at \$5,800,000 for the equivalent of 320,000 acre-feet of storage in the Jacksonville Reservoir; and the construction of channel improvements and levees on San Joaquin River and tributary channels at an estimated first cost to the United States of \$2,875,000 subject to the usual conditions of local cooperation for the channel improvement and levee work.

The committee notes that the New Melones Reservoir for flood control as proposed by the Chief of Engineers will be so developed as to permit raising in the future to provide capacity for conservation storage; that flood control storage in the Tuolumne River Basin can be most economically provided by Federal participation in the construction of reservoirs now planned by the city of San Francisco and other local interests for the Tuolumne River Basin; and that the channel improvements and levees proposed for the San Joaquin River and its tributaries are integral parts of any comprehensive plan for flood control in the lower San Joaquin Valley. The committee recommends approval of the plan and an authorization at this time of \$8,000,000 for the initiation and partial accomplishment thereof.

COQUILLE RIVER BASIN

(H. Doc. No. 620, 77th Cong., 2d sess.)

The Coquille River is formed by the junction of the North and South Forks near the town of Myrtle Point in southwestern Oregon, flows generally westerly for 35 miles and enters the Pacific Ocean, 125 mile south of the mouth of the Columbia River. It drains an area of 1,070 square miles of generally rugged and densely timbered area. Major floods occur in the Coquille River Valley on the average of about once in 10 years, while freshets which overtop the river bank may be expected to occur several times annually.

The Chief of Engineers has investigated the flood situation in this area and he finds that the construction of levees in the lower reach of the river and bank protection at mile 9 and inclosure of washes at the head of Beaver Slough and Fat Elk drainage districts are justified. He recommends this work at an estimated construction cost of \$168,000, of which \$143,000 is the estimated cost to the United States, subject to the condition that responsible local agencies contribute the sum of \$25,000 toward the cost of construction, in addition to the usual requirements of local cooperation.

The committee notes that the proposed work will provide substantial flood protection with benefits in excess of the costs and has included an authorization for this project in the bill.

NEHALEM RIVER BASIN

(H. Doc. No. 621, 77th Cong., 2d sess.)

Nehalem River rises in the Coast Range Mountains in northwest Oregon and flows in a generally southwesterly direction for a hundred miles, discharging into Nehalem Bay, 40 miles south of the mouth of

the Columbia River. It drains an area of 862 square miles of rugged and heavily timbered terrain. Approximately 8,000 acres of arable land in the upper basin and 4,700 acres in the lower basin are subject to overflow. In the lower basin, damages attributable to river flows alone are infrequent, but nearly half of the lowland is subject to annual overflow caused by high tides or a combination of high tides and high river flows. The maximum known flood occurred in December 1933, reaching a stage of 20 feet above mean lower low water near the mouth and caused damage estimated at \$7,700 in the upper basin and \$58,700 in the lower basin.

A report on the flood situation in the Nehalem River Basin has been transmitted to Congress in response to authorizations contained in the acts approved June 11, 1935, February 26, 1936, and June 22, 1936. The Chief of Engineers finds that protection can be afforded for an area of 770 acres by the reconstruction and extension of an existing levee at an estimated cost for construction of \$33,000, of which \$23,000 would be borne by the United States and \$10,000 contributed by local interests.

The committee is of the opinion that the work recommended by the Chief of Engineers is warranted and accordingly has included in the bill an item authorizing its construction.

WILLAMETTE RIVER BASIN

(H. Doc. No. 544, 75th Cong., 3d sess.)

The Willamette River is formed by the coast and Middle Forks which join a few miles above Eugene, Oregon. The river then flows north 189 miles to enter the Columbia River 99 miles above its mouth. The Willamette Basin lies between the Cascade Range on the east and the coast range on the west. The mountainous areas, which comprise a large part of the basin, are characteristically rugged and generally covered by forests. The valley floor proper is a broad alluvial plain through which the main stream and the lower sections of its tributaries flow in winding courses. The basin has a drainage area of 11,200 square miles. The population is approximately 650,000, engaged in farming and forestry and the processing of those products. The farm lands in the valley are very fertile and are intensely cultivated.

Floods in the basin may be expected from November through April and major floods occur in the period from late November to early February. Flood damages to farm lands and communities are very heavy. The most recent flood in this area occurred in the period between December 31, 1942, and January 4, 1943, when the stage at Albany exceeded bankfull stage by 13.6 feet and an area of 342,300 acres was inundated, causing damage estimated at \$5,708,000.

Congress authorized bank-protection works at several localities in the basin in the Flood Control Act of 1936 and in the act of June 28, 1938, approved the general comprehensive plan for flood control, navigation, and other purposes in the Willamette River Basin as set forth in House Document No. 544, Seventy-fifth Congress, third session, and authorized \$11,300,000 for the initiation and partial accomplishment of that plan. The Flood Control Act of 1941 authorized an additional appropriation of \$11,000,000 for the prosecution of this comprehensive plan. With authorization of funds thus

far provided by Congress the War Department has completed most of the bank-protection works along the Willamette, Clackamas, Molalla, and Santiam Rivers, and the Fern Ridge and Cottage Grove Reservoirs. The preparation of detailed plans for four other reservoirs in the approved plan is well under way.

The committee recognizes the importance of carrying forward the flood-protection works in the Willamette River Basin to an early completion and it believes that the sum of \$20,000,000 should be authorized at this time in order that this important work may continue immediately following the cessation of hostilities.

COLUMBIA RIVER BASIN

SNAKE RIVER, IDAHO AND OREG.

(H. Doc. No. 452, 77th Cong., 1st sess.)

The Snake River is the principal tributary of the Columbia River. It rises in the Rocky Mountains in Yellowstone National Park, Wyo., and flows in a general westerly and northerly direction to join the Columbia River at Pasco, Wash. It drains an area of 109,000 square miles. The area in the Snake River Valley most seriously affected by floods is the agricultural district lying on both sides of the river along the 20-mile stretch between Heise and Roberts, Idaho. The channel through this reach has a capacity of about 20,000 cubic feet per second. The maximum flood of record occurred in 1894 with a peak discharge of 65,000 cubic feet per second in this reach. During the past 50 years, 38 floods have exceeded 20,000 cubic feet per second.

The Chief of Engineers has investigated the flood problem on the Snake River in accordance with the authority contained in an act of Congress approved March 4, 1937, and has submitted his report thereon to Congress. The Chief of Engineers reports that the most suitable plan for protecting the Heise-Roberts area provides for reserving 500,000 acre-feet of storage space for flood-control use in the Grand Valley Reservoir now under consideration by the Bureau of Reclamation supplemented by channel improvement work between Heise and Roberts, and he recommends that the latter be undertaken at an estimated cost to the United States of \$734,000 together with protection to the river banks near Weiser, Idaho, against erosion at an estimated first cost of \$9,000.

The committee believes that the recommended channel improvement and bank protection, in combination with flood-control storage in the Grand Valley Reservoir when that project is constructed, will offer the most satisfactory means of flood protection in this area. The committee, therefore, recommends its adoption.

PALOUSE RIVER

(H. Doc. No. 888, 77th Cong., 1st sess.)

The Palouse River rises in the Bitterroot Mountain Range in Idaho and flows 140 miles generally west through the State of Washington to enter the Snake River 59 miles above the mouth. It drains an area of 2,980 square miles. The stream valleys of Palouse River, the South Fork of Palouse River, and other tributaries are subject to damaging floods. The damages have been concentrated principally in

urban areas and suburbs. Investigations made by the Corps of Engineers show that the control of floods by means of storage reservoirs alone or in combination does not appear to be economically feasible. However, local protection works at the towns of Pullman and Colfax will produce benefits sufficient to justify the cost of construction.

In his report on the flood situation on the Palouse River, the Chief of Engineers recommends the construction of flood-control works on the South Fork of Palouse River at Pullman and on Spring Flat Creek and Palouse River in the vicinity of and through Colfax, consisting of channel enlargement and modifications, levees, flood walls, and revetments, at an estimated cost to the United States of \$478,000.

The committee believes that the improvements proposed by the Chief of Engineers are meritorious and in the public interest and recommends adoption of the project.

ALKALI CANYON

(H. Doc. No. 631, 77th Cong., 2d sess.)

Alkali Canyon is a short tributary of the Columbia River entering from the south. It is about 12 miles long and flows from a divide $4\frac{1}{2}$ miles north of the town of Roek Creek to the Columbia River at Arlington. The flood problem on Alkali Canyon is confined largely to the lower three-fourths of a mile within the town of Arlington. The largest known flood occurred in June of 1927 as a result of an intense local cloudburst storm. The sudden flood destroyed many residential and commercial buildings, washed out roads, and caused damage estimated at \$316,600.

The Chief of Engineers has investigated the flood problem on Alkali Canyon and has submitted his report thereon to Congress. He recommends the construction of a project for flood protection at Arlington by means of an enlarged channel lined with concrete or grouted revetment and appurtenant works at an estimated cost to the United States of \$118,000.

The committee is of the opinion that local flood-protection measures at Arlington, Oreg., are warranted and recommends the adoption of the project proposed by the Chief of Engineers.

WILLAPA RIVER, WASH.

(H. Doc. No. 701, 77th Cong., 2d sess.)

Willapa River is a coastal stream in southwestern Washington that rises in the Willapa Hills and flows northwesterly 37 miles to Willapa Bay, located about 30 miles north of the mouth of the Columbia River. The drainage area of 240 square miles is developed principally for timber resources. The principal flood problem on Willapa River is the frequent inundation of certain areas along the lower river and in the city of Raymond, as a result of high tidal stages augmented by high winds. Private interests have built levees for the protection of about 800 acres of tidal flats from tidal overflow. These levees are in good condition but are of insufficient height.

The Chief of Engineers has investigated the flood situation on the Willapa River in response to the authorization contained in the Flood

Control Act approved June 28, 1938, and has submitted a report in which he recommends construction of a levee system at Raymond to enclose the low-lying sections, at an estimated cost to the United States of \$127,000.

The committee finds that the estimated benefits from the proposed work exceed the cost by a substantial margin and believes that the project should be adopted as recommended by the Chief of Engineers.

SECTION 8. PRELIMINARY EXAMINATIONS AND SURVEYS

Section 8 of the bill authorizes and directs the Secretary of War to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements and protection from floods aggravated by or due to tidal effect, at the localities designated in said section; and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil erosion prevention on the watersheds of these same localities.

This section is similar to examination and survey sections contained in the Flood Control Acts of 1936 and subsequent acts and it clarifies the language contained in those acts to show definitely that the words "flood control" shall be construed to include channel and major drainage improvements. In accordance with its usual policy, the Flood Control Committee has included in this section the streams and areas in all bills for examinations and surveys which have been introduced since the last general flood-control act.

SECTION 9. AUTHORIZATION IN THE BILL

The general flood-control legislation enacted between 1936 and 1941, inclusive, has provided authorizations totaling \$965,000,000 for the construction of 460 reservoirs and local flood-protection projects. Of these, 185 projects have been substantially completed and 46 more projects were in various stages of construction when suspended in order to conserve materials, equipment, and manpower for the war effort. Details of the present status of the authorized flood-control program are contained in the following tabulations.

Comprehensive plans for flood control and other purposes in major river basins

Basin	Present approved plan		Total authorizations to date	Total appropriations to date	Total estimated Federal cost	
	Number of projects	Total estimated Federal cost			Projects undertaken	Basin authorizations in this bill
Arkansas River.....	13	\$122,619,000	\$50,000,000	\$12,188,200	\$42,505,000	\$35,000,000
Connecticut River.....	30	98,602,000	45,584,000	20,648,200	23,903,000	30,000,000
Los Angeles and San Gabriel Rivers.....	54	238,813,000	108,389,000	73,140,200	75,837,000	25,000,000
Merrimaek River.....	9	21,000,000	21,000,000	9,541,000	9,541,000	-----
Missouri River.....	10	144,576,000	16,000,000	6,575,000	8,977,000	200,000,000
Ohio River.....	186	581,052,000	235,439,800	141,302,600	226,321,200	70,000,000
Santa Ana River.....	11	34,767,000	28,500,000	11,257,900	11,257,900	10,000,000
Upper Mississippi River.....	23	89,351,000	9,300,000	1,111,600	1,248,000	10,000,000
White River.....	8	155,064,000	49,000,000	30,729,300	36,000,000	45,000,000
Willamette River.....	10	82,308,000	22,300,000	9,196,600	9,196,600	20,000,000
Total.....	354	1,568,152,000	585,512,800	315,690,600	444,786,700	445,000,000

The committee wishes to emphasize that this is a post-war bill to assist in attaining two very worthy post-war objectives, to wit: Orderly adjustment from war to peace and protection of lives and property from the ravages of floods. This bill proposes to approve 112 worthy flood-control projects recommended by the Chief of Engineers and to increase the authorizations for flood-control construction in the amount of \$810,000,000. This authorization added to the amounts remaining available from prior legislation will provide a large working balance for numerous projects well distributed across the Nation and diversified as to type between large dams, concrete flood walls, channel improvements, earth levees, and combinations of these types. The greatest concentration of work is in the populous areas where hazards are most serious and where post-war adjustment will be most severe.

The progress of carrying out these authorizations will be determined by Congress through control of the amounts appropriated for flood-control work. The committee has been assured by the Chief of Engineers that the Corps of Engineers is ready and able to embark on a very large program of flood-control construction subject only to the availability of authorization and appropriations. At the rate of appropriations before the war emergency this bill will provide for about 6 years of construction. If post-war appropriations are larger, there will be consequent speeding up of work. The committee believes that enactment of this bill is an essential element in preparation for a large public-works program of worthy and carefully conceived projects and it strongly recommends speedy action on the bill.

SECTION 10. PROJECTS RECOMMENDED BY THE SECRETARY OF AGRICULTURE

Section 10 authorizes the prosecution of measures for run-off and water-flow retardation and soil erosion prevention by the Department of Agriculture on eight watersheds on which that Department has made surveys pursuant to the acts of 1936 and 1938 and for which projects have been reported favorably by the Secretary of Agriculture. These projects, as provided by law, have been reviewed by and correlated with the plans of the Corps of Engineers.

The works of improvement included in these eight projects will afford substantial reductions in the damages suffered from the frequent small and medium-sized floods that occur on headwater tributary streams generally upstream from works planned by the Corps of Engineers. They will also reduce greatly the quantity of erosion debris deposited in stream channels and reservoirs and upon flood plains. In addition, important benefits will accrue to the owners and operators of lands, upon which the measures will be applied, in the form of increased yields of crops and forest products, and increased productivity of pasture due to reduction in erosion and improvement in density and quality of vegetative cover.

The works proposed on these eight projects will provide a valuable complement to structures on waterways that have been or are likely to be built by the Corps of Engineers.

SECTION 11. REAUTHORIZING APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE

Section 11 reauthorizes the balance of the appropriation of \$10,000,000, previously authorized in the act of June 28, 1938, for expenditure by the Department of Agriculture for the improvement of watersheds during the post-war period.

SECTION 12. EMERGENCY WORK BY THE DEPARTMENT OF AGRICULTURE

Section 12 of this bill amends section 7 of the act of June 28, 1938. This amendment would permit the Secretary of Agriculture to undertake emergency measures on denuded watersheds to prevent hazards due to flash floods and destructive erosion that follow the loss of protective cover by forest fires or other catastrophies, especially in areas of steep slopes and erodible soils. Such emergency measures would be authorized without, in every case, having to wait for specific authorization to the Corps of Engineers for engineering structures on the waterways concerned. A limitation of \$100,000 a year is imposed.

CHANGES IN EXISTING LAW

COMPLIANCE CLAUSE 2 (A), RULE XIII

EXISTING LAW

(Flood Control Act, approved June 22, 1936, 49 Stat. 1570)

SEC. 1. It is hereby recognized that destructive floods upon the rivers of the United States, upsetting orderly processes and causing loss of life and property, including the erosion of lands, and impairing and obstructing navigation, highways, railroads, and other channels of commerce between the States, constitute a menace to national welfare; that it is the sense of Congress that flood control on navigable waters or their tributaries is a proper activity of the Federal Government in cooperation with States, their political subdivisions, and localities thereof; that investigations and improvements of rivers and other waterways, including watersheds there-

THIS BILL

That the words "flood control" as used in section 1 of the Act of June 22, 1936, shall be construed to include channel and major drainage improvements,
* * *

EXISTING LAW

of, for flood-control purposes are in the interest of the general welfare; that the Federal Government should improve or participate in the improvement of navigable waters or their tributaries, including watersheds thereof, for flood-control purposes if the benefits to whomsoever they may accrue are in excess of the estimated costs, and if the lives and social security of people are otherwise adversely affected.

THIS BILL

SEC. 3. In order to fully utilize dam and reservoir areas under the control of the War Department, the Chief of Engineers, under the supervision of the Secretary of War, is authorized to construct, maintain, and operate recreation, conservation, and other facilities thereat advantageous to the interests of the United States, or to permit the construction, maintenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, structures, or facilities in said areas for such periods and upon such terms as he may deem reasonable. All moneys received for such leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 4. That the Secretary of War is authorized to sell to States, municipalities, private concerns or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses surplus water that may be available at any reservoir under the control of the War Department. All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 5. Hereafter, it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the basis of such purposes, and the operation of any such project shall be in accordance with such regulations.

SEC. 6. Hereafter, whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. Such rates, as the Secretary of the Interior may deem reasonable, shall be charged for the use of said stored water; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts.

EXISTING LAW

THIS BILL

(Flood Control Act, approved August 18, 1941, Public Law 228, 77th Cong.)

SEC. 3. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of national security and the stabilization of employment, and shall be prosecuted as speedily as may be consistent with budgetary requirements, under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission: * * *.

SEC. 4. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the following-named localities, * * *.

SEC. 7. That the following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized in the interest of the national security and with a view toward providing an adequate reservoir of useful and worthy public works for the post-war construction program, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted during the war, with funds from appropriations heretofore or hereafter made for flood control, so as to be ready for rapid inauguration of a post-war program of construction: *Provided further*, That when the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein authorized shall be initiated as expeditiously as may be consistent with budgetary requirements and shall be prosecuted vigorously during the period of post-war reconversion: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War on the recommendation of the Chief of Engineers and the Federal Power Commission.

SEC. 8. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, * * *.

EXISTING LAW

(Flood Control Act, approved June 28, 1938, 52 Stat. 1225)

SEC. 7. That in order to effectuate the policy declared in sections one and two of the Act of June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), and to correlate the program for the improvement of rivers and other waterways by the Department of War with the program for the improvement of watersheds by the Department of Agriculture, works of improvement for measures of run-off and water-flow retardation and soil-erosion prevention on the watersheds of waterways, for which works of improvement for the benefit of navigation and the control of destructive floodwaters and other provisions have been adopted and authorized to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers, are hereby authorized to be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture and in accordance with plans approved by him. For prosecuting said work and measures there is hereby authorized to be appropriated the sum of \$10,000,000 to be expended at the rate of \$2,000,000 per annum during the five-year period ending June 30, 1944: *Provided*, That such works and measures which are herein authorized to be prosecuted by the Department of Agriculture may be carried out on the watersheds of the Rio Grande and Pecos Rivers subject to the proviso in section 2 of the said Act of June 22, 1936.

THIS BILL

SEC. 11. That the balance remaining from the authorization of \$10,000,000 provided in section 7 of the Flood Control Act approved June 28, 1938, for the five-year period ending June 30, 1944, to correlate the program for the improvement of watersheds by the Department of Agriculture for measures of run-off and waterflow retardation and soil-erosion prevention on the watersheds with the program for the improvement of rivers and other waterways by the Department of War is hereby reauthorized to be expended during the post-war period by the Department of Agriculture for the prosecution of the work authorized in section 10 of this Act: *Provided*, That not more than 20 per centum of the authorization made available herein shall be expended on any one project.

SEC. 12. That section 7 of the Act of June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), is hereby amended by adding at the end of the first sentence thereof the following: "The Secretary of Agriculture is hereby authorized in his discretion to undertake such emergency measures for run-off retardation and soil-erosion prevention as may be needed to safeguard lives and property from floods and the products of erosion on any watershed whenever fire or any other natural element or force has caused a sudden impairment of that watershed: *Provided*, That not to exceed \$100,000 out of any funds heretofore or hereafter appropriated for the prosecution by the Secretary of Agriculture of works of improvement or measures for run-off and waterflow retardation and soil-erosion prevention on watersheds may be expended during any one fiscal year for such emergency measures."

78TH CONGRESS
2D SESSION

H. R. 4485

[Report No. 1309]

IN THE HOUSE OF REPRESENTATIVES

MARCH 27, 1944

Mr. WHITTINGTON introduced the following bill; which was referred to the Committee on Flood Control

MARCH 29, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

A BILL

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the words "flood control" as used in section 1 of the
4 Act of June 22, 1936, shall be construed to include channel
5 and major drainage improvements, and that hereafter Federal
6 investigations and improvements of rivers and other water-
7 ways for flood control and allied purposes shall be under
8 the jurisdiction of and shall be prosecuted by the War De-
9 partment under the direction of the Secretary of War and
10 supervision of the Chief of Engineers, and Federal investi-
11 gations of watersheds and measures for run-off and water-

1 flow retardation and soil-erosion prevention on watersheds
2 shall be under the jurisdiction of and shall be prosecuted
3 by the Department of Agriculture under the direction of the
4 Secretary of Agriculture, except as otherwise provided by
5 Act of Congress.

6 SEC. 2. That section 3 of the Act approved June 22,
7 1936 (Public, Numbered 738, Seventy-fourth Congress), as
8 amended by section 2 of the Act approved June 28, 1938
9 (Public, Numbered 761, Seventy-fifth Congress), shall apply
10 to all works authorized in this Act, except that for any chan-
11 nel improvement or channel rectification project provisions
12 (a), (b), and (c) of section 3 of said Act of June 22, 1936,
13 shall apply thereto, and except as otherwise provided by
14 law: *Provided*, That the authorization for any flood-control
15 project herein adopted requiring local cooperation shall expire
16 five years from the date on which local interests are notified
17 in writing by the War Department of the requirements of
18 local cooperation, unless said interests shall within said time
19 furnish assurances satisfactory to the Secretary of War that
20 the required cooperation will be furnished.

21 SEC. 3. In order to fully utilize dam and reservoir areas
22 under the control of the War Department, the Chief of
23 Engineers, under the supervision of the Secretary of War,
24 is authorized to construct, maintain, and operate recreation,
25 conservation, and other facilities thereat advantageous to the

1 interests of the United States, or to permit the construction,
2 maintenance, and operation of such facilities. The Secretary
3 of War is authorized to grant leases of lands, structures, or
4 facilities in said areas for such periods and upon such terms
5 as he may deem reasonable. All moneys received for such
6 leases or privileges shall be deposited in the Treasury of the
7 United States as miscellaneous receipts.

8 SEC. 4. That the Secretary of War is authorized to sell
9 to States, municipalities, private concerns, or individuals, at
10 such prices and on such terms as he may deem reasonable,
11 for domestic and industrial uses surplus water that may be
12 available at any reservoir under the control of the War
13 Department. All moneys received from such sales shall be
14 deposited in the Treasury of the United States as miscel-
15 laneous receipts.

16 SEC. 5. Hereafter, it shall be the duty of the Secretary
17 of War to prescribe regulations for the use of storage avail-
18 able for flood control or navigation at all reservoirs con-
19 structed wholly or in part with Federal funds provided on the
20 basis of such purposes, and the operation of any such project
21 shall be in accordance with such regulations.

22 SEC. 6. Hereafter, whenever in the opinion of the Secre-
23 tary of War and the Chief of Engineers any dam and reservoir
24 project operated under the direction of the Secretary of
25 War can be consistently used for reclamation of arid lands,

1 it shall be the duty of the Secretary of the Interior to pre-
2 scribe regulations for the use of the storage available for
3 such purpose, and the operation of any such project shall
4 be in accordance with such regulations. Such rates, as the
5 Secretary of the Interior may deem reasonable, shall be
6 charged for the use of said stored water; the moneys re-
7 ceived to be deposited into the Treasury to the credit of
8 miscellaneous receipts.

9 SEC. 7. That the following works of improvement for
10 the benefit of navigation and the control of destructive flood
11 waters and other purposes are hereby adopted and author-
12 ized in the interest of the national security and with a view
13 toward providing an adequate reservoir of useful and worthy
14 public works for the post-war construction program, to be
15 prosecuted under the direction of the Secretary of War and
16 supervision of the Chief of Engineers in accordance with the
17 plans in the respective reports hereinafter designated and
18 subject to the conditions set forth therein: *Provided*, That
19 the necessary plans, specifications, and preliminary work
20 may be prosecuted during the war, with funds from appro-
21 priations heretofore or hereafter made for flood control, so
22 as to be ready for rapid inauguration of a post-war program
23 of construction: *Provided further*, That when the existing
24 critical situation with respect to materials, equipment, and
25 manpower no longer exists, and in any event not later than

1 immediately following the cessation of hostilities in the
2 present war, the projects herein authorized shall be initiated
3 as expeditiously as may be consistent with budgetary re-
4 quirements and shall be prosecuted vigorously during the
5 period of post-war reconversion: *And provided further*, That
6 penstocks and other similar facilities adapted to possible
7 future use in the development of hydroelectric power shall
8 be installed in any dam herein authorized when approved
9 by the Secretary of War on the recommendation of the
10 Chief of Engineers and the Federal Power Commission.

11 CONNECTICUT RIVER BASIN

12 In addition to previous authorizations, there is hereby
13 authorized to be appropriated the sum of \$30,000,000 for
14 the prosecution of the comprehensive plan approved in the
15 Act of June 28, 1938, as modified by the Act approved
16 August 18, 1941, for the Connecticut River Basin: *Provided*,
17 That neither this authorization nor previous authorizations
18 shall be construed to authorize the construction of a high
19 dam at the Williamsville site.

20 THAMES RIVER BASIN

21 In addition to previous authorizations, there is hereby
22 authorized the completion of the plan approved in the Act
23 of August 18, 1941, for the Thames River Basin at an
24 estimated cost of \$7,200,000.

1 HOUSATONIC RIVER BASIN

2 The project for the Thomaston Reservoir on the Nauga-
3 tuck River, for flood control in the Housatonic River
4 Basin, Connecticut, is hereby authorized substantially in
5 accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 338, Seventy-
7 seventh Congress, first session, at an estimated cost of
8 \$5,151,000.

9 SUSQUEHANNA RIVER BASIN

10 The project authorized by the Act of June 22, 1936,
11 to provide for local protection works on the Susquehanna
12 River at Harrisburg, Pennsylvania, is hereby modified sub-
13 stantially in accordance with the recommendations of the
14 Chief of Engineers in House Document Numbered 702,
15 Seventy-seventh Congress, second session, at an estimated
16 cost of \$2,227,000.

17 The project for flood protection at Tyrone, Pennsyl-
18 vania, on the Little Juniata River, Pennsylvania, is hereby
19 authorized substantially in accordance with the recommenda-
20 tions of the Chief of Engineers in House Document Num-
21 bered 702, Seventy-seventh Congress, second session, at an
22 estimated cost of \$1,392,000.

23 The plan for flood control in southern New York and
24 eastern Pennsylvania authorized by the Act of June 22,
25 1936, as modified by the Act of August 18, 1941, is hereby

1 further modified to include the South Plymouth and Gene-
2 gantslet Reservoirs on tributaries of the Chenango River
3 substantially in accordance with the recommendations of the
4 Chief of Engineers in House Document Numbered 702,
5 Seventy-seventh Congress, second session, at an estimated
6 additional cost of \$4,755,000.

7 The plan for the Raystown Reservoir on the Raystown
8 Branch of the Juniata River, Pennsylvania, for flood con-
9 trol and other purposes, substantially in accordance with
10 the recommendations of the Chief of Engineers in House
11 Document Numbered 702, Seventy-seventh Congress, sec-
12 ond session, is approved, and there is hereby authorized to
13 be appropriated the sum of \$2,000,000 for the initiation
14 and partial accomplishment thereof.

15 MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

16 In addition to previous authorizations, there is hereby
17 authorized the completion of the Allatoona Reservoir on the
18 Etowah River, Georgia, approved in the Act of August 18,
19 1941, at an estimated cost of \$14,400,000.

20 LOWER MISSISSIPPI RIVER

21 The project for flood control and improvement of the
22 Lower Mississippi River adopted by the Act of May 15,
23 1928, as amended by subsequent Acts of Congress, is
24 hereby modified in accordance with the recommendations
25 of the Chief of Engineers in House Document Numbered 509,

1 Seventy-eighth Congress, second session, and, as modified,
2 is hereby adopted and there is hereby authorized to be
3 appropriated, in addition to the sums previously authorized,
4 \$200,000,000 for the accomplishment of the purposes set
5 forth in said document.

6 The project for flood control on the Boeuf and Tensas
7 Rivers and Bayou Macon, Arkansas and Louisiana, is hereby
8 authorized substantially in accordance with the recommenda-
9 tions of the Chief of Engineers in Senate Document Num-
10 bered 151, Seventy-eighth Congress, second session, at an
11 estimated cost of \$5,013,000.

12 The project for flood control on the Big Sunflower, Little
13 Sunflower, Hushpuckena, and Quiver Rivers and their tribu-
14 taries, and on Hull Brake-Mill Creek Canal, Bogue Phalia,
15 Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi,
16 is hereby authorized substantially in accordance with the
17 recommendations of the Chief of Engineers in House Docu-
18 ment Numbered 516, Seventy-eighth Congress, second
19 session, at an estimated cost of \$3,752,000.

20 The project for flood protection in the backwater area
21 of the Yazoo River authorized in the Flood Control Act of
22 August 18, 1941, is hereby amended to authorize the Chief
23 of Engineers, in his discretion, to include improvements for
24 the protection of the Satartia area at an estimated additional

1 cost of \$1,061,000 or, in his discretion, to include improve-
2 ments for the protection of the Satartia area plus its extension
3 at an estimated additional cost of \$1,952,000.

4 RED-OUACHITA RIVER BASIN

5 In addition to previous authorizations, there is hereby
6 authorized the completion of the plan approved in the Act of
7 August 18, 1941, for the Little Missouri River in Arkansas,
8 at an estimated cost of \$3,800,000.

9 ARKANSAS RIVER BASIN

10 In addition to previous authorizations, there is hereby
11 authorized to be appropriated the sum of \$35,000,000 for
12 the prosecution of the comprehensive plan approved in the
13 Act of June 28, 1938, as modified by the Act approved
14 August 18, 1941, for the Arkansas River Basin.

15 The projects for local flood protection on the Arkansas
16 River are hereby modified and authorized substantially in
17 accordance with the recommendations of the Chief of
18 Engineers in House Document Numbered 447, Seventy-
19 eighth Congress, second session, at an estimated additional
20 cost of \$10,299,400.

21 The project on tributaries of the Fountaine Que Bouille
22 River for flood protection at Colorado Springs, Colorado, is
23 hereby authorized substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 186, Seventy-eighth Congress, first session, at an
2 estimated cost of \$500,000.

3 The project on Purgatoire River for local flood protection
4 at Trinidad, Colorado, is hereby authorized substantially in
5 accordance with the recommendations of the Chief of Engi-
6 neers in House Document Numbered 387, Seventy-eighth
7 Congress, second session, at an estimated cost of \$909,000.

8 WHITE RIVER BASIN

9 In addition to previous authorizations, there is hereby
10 authorized to be appropriated the sum of \$45,000,000 for
11 the prosecution of the comprehensive plan approved in the
12 Act of June 28, 1938, as modified by the Act approved
13 August 18, 1941, for the White River Basin.

14 UPPER MISSISSIPPI RIVER BASIN

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$10,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of June 28, 1938, for the Upper Mississippi River
19 Basin.

20 The project authorized by the Act of June 22, 1936,
21 for local flood protection on the Mississippi River at the
22 Sainte Genevieve Levee District Numbered 1, Missouri, is
23 hereby modified substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 727, Seventy-seventh Congress, second session,
2 at an estimated cost of \$141,000.

3 The project on the Mississippi River for local flood pro-
4 tection at Sabula, Iowa, is hereby authorized substantially
5 in accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 328, Seventy-
7 seventh Congress, first session, at an estimated cost of
8 \$25,000.

9 The project on the Galena River, for local flood protec-
10 tion at Galena, Illinois, is hereby authorized substantially in
11 accordance with the recommendations of the Chief of Engi-
12 neers in House Document Numbered 336, Seventy-seventh
13 Congress, first session, at an estimated cost of \$300,000.

14 The project for flood control on the Illinois River is
15 hereby authorized substantially in accordance with the recom-
16 mendations of the Chief of Engineers in House Document
17 Numbered 692, Seventy-seventh Congress, second session,
18 at an estimated cost of \$111,500.

19 The project on Elk Creek and Turkey River for local
20 flood protection at Elkport, Iowa, is hereby authorized sub-
21 stantially in accordance with the recommendations of the
22 Chief of Engineers in House Document Numbered 700,
23 Seventy-seventh Congress, second session, at an estimated
24 cost of \$13,000.

1 RED RIVER OF THE NORTH BASIN

2 The projects for flood control for Red Lake River, Min-
3 nesota, including Clearwater River, Minnesota, are hereby
4 authorized substantially in accordance with the recommenda-
5 tions of the Chief of Engineers in House Document Numbered
6 345, Seventy-eighth Congress, first session, at an estimated
7 cost of \$902,940.

8 MISSOURI RIVER BASIN

9 The general comprehensive plan for flood control and
10 other purposes in the Missouri River Basin approved by the
11 Act of June 28, 1938, as modified by subsequent Acts, is
12 hereby expanded to include the plan of improvement for
13 flood control, irrigation, power development, navigation, and
14 other purposes, substantially in accordance with the recom-
15 mendations of the Chief of Engineers in House Document
16 Numbered 475, Seventy-eighth Congress, second session;
17 and as expanded is approved; and, in addition to previous
18 authorizations, there is hereby authorized to be appropriated
19 the sum of \$200,000,000 for the partial accomplishment of
20 the comprehensive plan as modified and expanded: *Provided*,
21 That nothing in this Act shall be construed as creating below
22 Sioux City any demand upon the water resources of the
23 Missouri River Basin above Sioux City in excess of that
24 now authorized by existing law: *And provided further*, That
25 portions of the storage authorized for the main stem of the

1 river shall be placed on tributaries if the Secretary of War
2 and the Chief of Engineers find such action advisable for silt
3 control and in order to make more water readily available
4 for agricultural and industrial use without impairment of
5 flood control below Sioux City and without increasing the
6 authorized limit of cost.

7 The project adopted by the Act of June 22, 1936, to
8 provide flood protection for the Kansas Citys, Kansas and
9 Missouri, is hereby modified and extended to provide for
10 improvement substantially in accordance with the recom-
11 mendations of the Chief of Engineers in House Document
12 Numbered 342, Seventy-eighth Congress, first session, at an
13 estimated additional cost for the modified project of
14 \$8,445,000.

15 In addition to previous authorizations, there is hereby
16 authorized the completion of the plan approved in the Act
17 of August 18, 1941, for Cherry Creek and tributaries, Colo-
18 rado, at an estimated cost of \$7,500,000.

19 The project on Knife River for local flood control at
20 Beulah, North Dakota, is hereby authorized substantially in
21 accordance with the recommendations of the Chief of Engi-
22 neers in House Document Numbered 252, Seventy-eighth
23 Congress, first session, at an estimated cost of \$26,100.

24 The project on Knife River for local flood control at
25 Hazen, North Dakota, is hereby authorized substantially in

1 accordance with the recommendations of the Chief of
2 Engineers in House Document Numbered 252, Seventy-
3 eighth Congress, first session, at an estimated cost of \$6,600.

4 The project on Milk River adopted by the Act of June
5 22, 1936, to provide local flood protection at Harlem, Mon-
6 tana, is hereby modified substantially in accordance with the
7 recommendations of the Chief of Engineers in Senate Docu-
8 ment Numbered 103, Seventy-eighth Congress, first session,
9 at an estimated cost of \$21,100.

10 The project on Milk River for local flood protection at
11 Havre, Montana, is hereby authorized substantially in accord-
12 ance with the recommendations of the Chief of Engineers in
13 Senate Document Numbered 103, Seventy-eighth Congress,
14 first session, at an estimated cost of \$313,100.

15 The project on Boyer River for local flood control on
16 East Fork of Boyer River at Denison, Iowa, is hereby
17 authorized substantially in accordance with the recommenda-
18 tions of the Chief of Engineers in House Document Numbered
19 254, Seventy-eighth Congress, first session, at an estimated
20 cost of \$17,830.

21 The project on Nishnabotna River for local flood control
22 at Hamburg, Iowa, is hereby authorized substantially in ac-
23 cordance with the recommendations of the Chief of Engineers
24 in House Document Numbered 253, Seventy-eighth Con-
25 gress, first session, at an estimated cost of \$236,000.

1 The project on Bear Creek for local flood protection at
2 Morrison, Colorado, is hereby authorized substantially in
3 accordance with recommendations of the Chief of Engineers
4 in House Document Numbered 356, Seventy-eighth Con-
5 gress, first session, at an estimated cost of \$220,000.

6 OHIO RIVER BASIN

7 In addition to previous authorizations, there is hereby
8 authorized to be appropriated the sum of \$70,000,000 for
9 the prosecution of the comprehensive plan approved in the
10 Act of June 28, 1938, as modified by the Act approved
11 August 18, 1941, for the Ohio River Basin, including the
12 following projects in tributary basins, namely:

13 The local flood protection works in the Lake Chautauqua
14 and Chadakoin River area, substantially in accordance with
15 the recommendations of the Chief of Engineers in House
16 Document Numbered 685, Seventy-seventh Congress, sec-
17 ond session, at an estimated cost of \$135,500;

18 The local flood protection works at Dillonvale and
19 Adena on Short Creek, Ohio, substantially in accordance
20 with the recommendations of the Chief of Engineers in
21 House Document Numbered 889, Seventy-seventh Congress,
22 second session, at an estimated cost of \$158,200;

23 The local flood protection works at Taylorsville on Salt
24 River, Kentucky, substantially in accordance with the recom-
25 mendations of the Chief of Engineers in Senate Document

1 Numbered 105, Seventy-eighth Congress, first session, at
2 an estimated cost of \$129,350;

3 The local flood protection works at Latrobe on Loyal-
4 hanna Creek, Pennsylvania, substantially in accordance with
5 the recommendations of the Chief of Engineers in House
6 Document Numbered 444, Seventy-eighth Congress, second
7 session, at an estimated cost of \$112,500;

8 The Burr Oak Reservoir on the Hocking River, Ohio,
9 substantially in accordance with the recommendations of the
10 Chief of Engineers in House Document Numbered 762,
11 Seventy-seventh Congress, second session, at an estimated
12 cost of \$400,000;

13 The Rowlesburg Reservoir on the Cheat River, sub-
14 stantially in accordance with the recommendations of the
15 Chief of Engineers in the report submitted to Congress by
16 the Secretary of War on November 26, 1942, at an esti-
17 mated cost of \$29,230,000; and

18 The improvement in the Youghiogheny River Basin,
19 substantially in accordance with the recommendations of the
20 Chief of Engineers in a report submitted to Congress by the
21 Secretary of War on March 29, 1943, at an estimated cost
22 of \$37,970,000.

23 GREAT LAKES BASIN

24 The project for the Panther Mountain Reservoir on
25 Moose River, New York, is hereby authorized substantially

1 in accordance with the recommendations of the Chief of
2 Engineers in House Document Numbered 405, Seventy-
3 seventh Congress, first session, at an estimated cost of
4 \$600,000.

5 The project for flood control on Chittenango Creek and
6 tributaries, New York, is hereby authorized substantially
7 in accordance with the recommendations of the Chief of
8 Engineers in House Document Numbered 625, Seventy-
9 seventh Congress, second session, at an estimated cost of
10 \$111,000.

11 The projects for flood control on Owasco Inlet and Outlet,
12 Montville and Dry Creeks, State Ditch, and Crane Brook,
13 New York, are hereby authorized substantially in accordance
14 with the recommendations of the Chief of Engineers in
15 House Document Numbered 815, Seventy-seventh Congress,
16 second session, at an estimated cost of \$64,200.

17 COLORADO RIVER BASIN (TEXAS)

18 In addition to previous authorizations, there is hereby
19 authorized the completion of the plan approved in the Act
20 of August 18, 1941, for the North Concho River, Texas, at
21 an estimated cost of \$4,800,000.

22 In addition to previous authorizations, there is hereby
23 authorized the completion of the plan approved in the Act
24 of August 18, 1941, for Pecan Bayou, Texas, at an estimated
25 cost of \$1,560,000.

1 BRAZOS RIVER BASIN

2 In addition to previous authorizations, there is hereby
3 authorized the completion of Whitney Reservoir in accord-
4 ance with the plan approved in the Act of August 18, 1941,
5 for the Brazos River Basin, at an estimated cost of
6 \$15,000,000.

7 RIO GRANDE BASIN

8 The project on Willow Creek for local flood protection
9 at Creede, Colorado, is hereby authorized substantially in
10 accordance with the recommendations of the Chief of Engi-
11 neers in Senate Document Numbered 104, Seventy-eighth
12 Congress, first session, at an estimated cost of \$68,500.

13 SAN DIEGO RIVER BASIN

14 The project on the San Diego River for local flood pro-
15 tection at San Diego, California, is hereby authorized sub-
16 stantially in accordance with the recommendations of the
17 Chief of Engineers in House Document Numbered 635,
18 Seventy-seventh Congress, second session, at an estimated
19 cost of \$370,000.

20 VENTURA RIVER BASIN

21 The projects on the Ventura River and tributaries for
22 local flood protection at Ventura and Ojai, California, are
23 hereby authorized substantially in accordance with the recom-
24 mendations of the Chief of Engineers in House Document

1 Numbered 323, Seventy-seventh Congress, first session, at
2 an estimated cost of \$1,600,000.

3 SANTA ANA RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized to be appropriated the sum of \$10,000,000 for
6 the prosecution of the projects approved in the Act of June
7 22, 1936, as modified by the Act of June 28, 1938, for the
8 Santa Ana River Basin and for the protection of Orange
9 County, California, including the projects on Lytle and
10 Cajon Creeks for local flood protection at San Bernardino
11 and Colton, California, in accordance with the recommenda-
12 tions contained in the report of the Chief of Engineers dated
13 February 11, 1944.

14 LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$25,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of August 18, 1941, for Los Angeles and San Gabriel
19 Rivers and Ballona Creek, California.

20 SACRAMENTO-SAN JOAQUIN RIVER BASIN

21 SACRAMENTO RIVER

22 The projects for the control of floods and other purposes
23 on the Sacramento River, California, adopted by the Acts
24 approved March 1, 1917, May 15, 1928, August 26, 1937,

1 and August 18, 1941, are hereby modified substantially in
2 accordance with the recommendation of the Board of Engi-
3 neers for Rivers and Harbors dated February 7, 1944, with
4 such modifications thereof as in the discretion of the Secre-
5 tary of War and the Chief of Engineers may be advisable,
6 at an estimated cost of \$46,056,000; and in addition to
7 previous authorizations there is hereby authorized to be
8 appropriated the sum of \$15,000,000 for the prosecution of
9 the modified projects: *Provided*, That this modification of
10 the project shall not be construed to authorize the construc-
11 tion of a high dam at the Table Mountain site.

12 SAN JOAQUIN RIVER

13 The project for the Isabella Reservoir on the Kern
14 River for flood control and other purposes in the San Joaquin
15 Valley, California, is hereby authorized substantially in ac-
16 cordance with the recommendations of the Chief of Engi-
17 neers in his report dated January 26, 1944, contained in
18 House Document Numbered , Seventy-eighth Congress,
19 second session, at an estimated cost of \$6,800,000.

20 The plan for the Terminus and Success Reservoirs on
21 the Kaweah and Tule Rivers for flood control and other
22 purposes in the San Joaquin Valley, California, in accord-
23 ance with the recommendations of the Chief of Engineers in
24 Flood Control Committee Document Numbered 1, Seventy-
25 eighth Congress, second session, is approved, and there is

1 hereby authorized \$4,600,000 for initiation and partial
2 accomplishment of the plan.

3 The project for flood control and other purposes for the
4 Kings River and Tulare Lake Basin, California, is hereby
5 authorized substantially in accordance with the plans con-
6 tained in House Document Numbered 630, Seventy-sixth
7 Congress, third session, with such modifications thereof as in
8 the discretion of the Secretary of War and the Chief of En-
9 gineers may be advisable at an estimated cost of \$19,700,-
10 000: *Provided*, That the conditions of local cooperation
11 specified in said document shall not apply: *Provided further*,
12 That the Secretary of War shall make arrangements for pay-
13 ment to the United States by the State or other responsible
14 agency, either in lump sum or annual installments, for con-
15 servation storage when used: *Provided further*, That the
16 division of costs between flood control, and irrigation and
17 other water uses shall be determined by the Secretary of War
18 on the basis of continuing studies by the Bureau of Reclama-
19 tion, the War Department, and the local organizations.

20 The plan of improvement for local flood protection on
21 various streams in the Merced County Stream Group in the
22 San Joaquin Valley is hereby authorized substantially in ac-
23 cordance with the recommendations of the Chief of Engineers
24 in House Document Numbered 473, Seventy-eighth Con-
25 gress, second session, at an estimated cost of \$1,300,000.

1 The plan of improvement for flood control and other pur-
2 poses on the Lower San Joaquin River and tributaries, in-
3 cluding Tuolumne and Stanislaus Rivers, in accordance with
4 the recommendations of the Chief of Engineers in Flood Con-
5 trol Committee Document Numbered 2, Seventy-eighth Con-
6 gress, second session, is approved, and there is hereby au-
7 thorized \$8,000,000 for initiation and partial accomplish-
8 ment of the plan.

9 COQUILLE RIVER BASIN

10 The project for flood protection on the Coquille River,
11 Oregon, is hereby authorized substantially in accordance with
12 the recommendations of the Chief of Engineers in House
13 Document Numbered 620, Seventy-seventh Congress, sec-
14 ond session, at an estimated cost of \$143,000.

15 NEHALEM RIVER BASIN

16 The project for flood protection on the Nehalem River,
17 Oregon, is hereby authorized substantially in accordance with
18 the recommendations of the Chief of Engineers in House
19 Document Numbered 621, Seventy-seventh Congress, sec-
20 ond session, at an estimated cost of \$23,000.

21 WILLAMETTE RIVER BASIN

22 In addition to previous authorizations, there is hereby
23 authorized to be appropriated the sum of \$20,000,000 for
24 the prosecution of the comprehensive plan approved in the
25 Act of June 28, 1938, for the Willamette River Basin, with

1 such modifications thereof as in the discretion of the Chief
2 of Engineers may be advisable.

3 COLUMBIA RIVER BASIN

4 The projects on the Snake River for local flood protection
5 at Heise, Roberts, and Weiser, Idaho, are hereby authorized,
6 substantially in accordance with the recommendations of the
7 Chief of Engineers in House Document Numbered 452,
8 Seventy-seventh Congress, first session, at an estimated cost
9 of \$743,000.

10 The projects on the Palouse River and tributaries for
11 local flood protection at Pullman and Colfax, Washington,
12 are hereby authorized substantially in accordance with the
13 recommendations of the Chief of Engineers in House Docu-
14 ment Numbered 888, Seventy-seventh Congress, second ses-
15 sion, at an estimated cost of \$478,000.

16 The project on Alkali Canyon for local flood protection
17 at Arlington, Oregon, is hereby authorized substantially in
18 accordance with the recommendations of the Chief of Engi-
19 neers in House Document Numbered 631, Seventy-seventh
20 Congress, second session, at an estimated cost of \$118,000.

21 WILLAPA RIVER BASIN

22 The project on the Willapa River for local flood pro-
23 tection at Raymond, Washington, is hereby authorized sub-
24 stantially in accordance with the recommendations of the
25 Chief of Engineers in House Document Numbered 701,

1 Seventy-seventh Congress, second session, at an estimated
2 cost of \$127,000.

3 SEC. 8. The Secretary of War is hereby authorized and
4 directed to cause preliminary examinations and surveys for
5 flood control and allied purposes, including channel and major
6 drainage improvements, to be made under the direction of
7 the Chief of Engineers, in drainage areas of the United States
8 and its Territorial possessions, which include the following-
9 named localities, and the Secretary of Agriculture is author-
10 ized and directed to cause preliminary examinations and
11 surveys for run-off and waterflow retardation and soil-erosion
12 prevention on such drainage areas; the cost thereof to be
13 paid from appropriations heretofore or hereafter made for
14 such purposes: *Provided*, That after the regular or formal
15 reports made on any examination, survey, project, or work
16 under way or proposed are submitted to Congress, no supple-
17 mental or additional report or estimate shall be made unless
18 authorized by law except that the Secretary of War may
19 cause a review of any examination or survey to be made
20 and a report thereon submitted to the Congress if such review
21 is required by the national defense or by changed physical
22 or economic conditions: *And provided further*, That the Gov-
23 ernment shall not be deemed to have entered upon any
24 project for the improvement of any waterway or harbor

1 mentioned in this Act until the project for the proposed work
2 shall have been adopted by law:

3 Chipola River, Alabama and Florida.

4 Wacasassa River and its tributaries, Florida, and of
5 adjacent areas in Gilchrest and Levy Counties, Florida.

6 Oklawaha River and its tributaries, Florida, and of
7 adjacent areas in Alachua and Marion Counties, Florida.

8 Scajaquada Creek and its tributaries, New York.

9 Buffalo River, Minnesota.

10 Wild Rice River, Minnesota.

11 Marsh River, Minnesota.

12 Sand Hill River, Minnesota.

13 Red Lake River, Minnesota.

14 Roseau River, Minnesota.

15 Snake River, Minnesota.

16 Middle River, Minnesota.

17 Tamarac River, Minnesota.

18 Two Rivers, Minnesota.

19 Warroad River and Bull Dog Creek, Minnesota.

20 Mississippi River and its tributaries, in the County of
21 Aitkin, Minnesota.

22 Apple River, Joe Daviess County, Illinois.

23 Maumee River, Indiana and Ohio.

24 Indian Creek, Indiana.

1 Osage River, Missouri and Kansas.

2 San Rafael Creek and its tributaries, California.

3 Bayamon and Hondo Rivers and their tributaries.

4 Municipality of Bayamon, Puerto Rico.

5 SEC. 9. That the sum of \$810,000,000 is hereby author-
6 ized to be appropriated for carrying out the improvements
7 herein, the sum of \$10,000,000 additional is authorized to be
8 appropriated and expended in equal amounts by the Depart-
9 ments of War and Agriculture for carrying out any examina-
10 tion or survey provided for in this Act and any other Acts
11 of Congress, to be prosecuted by said Departments. The
12 sum of \$1,500,000 additional is authorized to be appropriated
13 and expended by the Federal Power Commission for carry-
14 ing out any examinations and surveys provided for in this
15 Act or any other Acts of Congress, to be prosecuted by the
16 said Federal Power Commission.

17 SEC. 10. That the following works of improvement for
18 run-off and waterflow retardation, and soil-erosion preven-
19 tion, are hereby adopted and authorized in the interest of the
20 national security and with a view toward an adequate reser-
21 voir of useful and worthy public works for the post-war con-
22 struction program to be prosecuted by the Department of
23 Agriculture, under the direction of the Secretary of Agricul-
24 ture, in accordance with the plans of the respective reports
25 hereinafter designated and subject to the conditions set forth

1 therein: *Provided*, That the necessary plans and preliminary
2 work may be prosecuted during the war with funds from
3 appropriations heretofore or hereafter made for such works
4 so as to be ready for rapid inauguration of post-war con-
5 struction: *Provided further*, That when the existing critical
6 situation with respect to materials, equipment, and manpower,
7 no longer exists and in any event not later than immediately
8 following the cessation of hostilities in the present war, the
9 projects herein authorized shall be initiated as expeditiously
10 as may be consistent with budgetary requirements and shall
11 be prosecuted vigorously during the period of post-war
12 reconversion.

13 LOS ANGELES RIVER BASIN

14 The program on the Los Angeles River watershed is
15 hereby approved substantially in accordance with the recom-
16 mendation of the Under Secretary of Agriculture in House
17 Document Numbered 426, Seventy-seventh Congress, first
18 session, at an estimated cost to the United States of
19 \$8,380,000.

20 TRINITY RIVER BASIN (TEXAS)

21 The program on the Trinity River watershed is hereby
22 approved substantially in accordance with the recommenda-
23 tion of the Secretary of Agriculture in House Document
24 Numbered 708, Seventy-seventh Congress, second session, at
25 an estimated cost to the United States of \$32,000,000.

1 LITTLE TALLAHATCHIE RIVER WATERSHED

2 The program on the Little Tallahatchie River water-
3 shed is hereby approved substantially in accordance with the
4 recommendation of the Acting Secretary of Agriculture in
5 House Document Numbered 892, Seventy-seventh Congress,
6 second session, at an estimated cost to the United States of
7 \$4,221,000.

8 COOSA RIVER WATERSHED (ABOVE ROME, GEORGIA)

9 The program on the Coosa River watershed above
10 Rome, Georgia, is hereby approved substantially in accord-
11 ance with the recommendation of the Acting Secretary of
12 Agriculture in House Document Numbered 236, Seventy-
13 eighth Congress, first session, at an estimated cost to the
14 United States of \$1,233,000.

15 LITTLE SIOUX RIVER WATERSHED

16 The program on the Little Sioux River watershed is
17 hereby approved substantially in accordance with the recom-
18 mendation of the Assistant Secretary of Agriculture in
19 House Document Numbered 268, Seventy-eighth Congress,
20 first session, at an estimated cost to the United States of
21 \$4,280,000.

22 POTOMAC RIVER WATERSHED

23 The program on the Potomac River watershed is
24 hereby approved substantially in accordance with the recom-
25 mendation of the Assistant Secretary of Agriculture in House

1 Document Numbered 269, Seventy-eighth Congress, first
2 session, at an estimated cost to the United States of \$859,000.

3 COLORADO RIVER WATERSHED (TEXAS)

4 The program on those portions of the Colorado River
5 watershed included in the watersheds of Pecan Bayou, San
6 Saba River, Brady Creek, and the area tributary to the main
7 stream of the Colorado River below its confluence with the
8 Concho River and above the mouth of Pecan Bayou, is
9 hereby approved substantially in accordance with the recom-
10 mendation of the Assistant Secretary of Agriculture in House
11 Document Numbered 270, Seventy-eighth Congress, first
12 session, at an estimated cost to the United States of
13 \$2,693,000.

14 WASHITA RIVER WATERSHED

15 The program on the Washita River watershed is hereby
16 approved substantially in accordance with the recommenda-
17 tion of the Under Secretary of Agriculture in House Docu-
18 ment Numbered 275, Seventy-eighth Congress, first session,
19 at an estimated cost to the United States of \$11,243,000.

20 SEC. 11. That the balance remaining from the authoriza-
21 tion of \$10,000,000 provided in section 7 of the Flood Con-
22 trol Act approved June 28, 1938, for the five-year period
23 ending June 30, 1944, to correlate the program for the im-
24 provement of watersheds by the Department of Agriculture
25 for measures of run-off and waterflow retardation and soil-

1 erosion prevention on the watersheds with the program for
2 the improvement of rivers and other waterways by the De-
3 partment of War is hereby reauthorized to be expended dur-
4 ing the post-war period by the Department of Agriculture
5 for the prosecution of the work authorized in section 10 of this
6 Act: *Provided*, That not more than 20 per centum of the
7 authorization made available herein shall be expended on any
8 one project.

9 SEC. 12. That section 7 of the Act of June 28, 1938
10 (Public, Numbered 761, Seventy-fifth Congress), is hereby
11 amended by adding at the end of the first sentence thereof
12 the following: "The Secretary of Agriculture is hereby
13 authorized in his discretion to undertake such emergency
14 measures for run-off retardation and soil-erosion prevention
15 as may be needed to safeguard lives and property from floods
16 and the products of erosion on any watershed whenever fire
17 or any other natural element or force has caused a sudden
18 impairment of that watershed: *Provided*, That not to exceed
19 \$100,000 out of any funds heretofore or hereafter appro-
20 priated for the prosecution by the Secretary of Agriculture of
21 works of improvement or measures for run-off and water-
22 flow retardation and soil-erosion prevention on watersheds
23 may be expended during any one fiscal year for such emer-
24 gency measures."

Union Calendar No. 442

78TH CONGRESS
2^D Session

H. R. 4485

[Report No. 1309]

A BILL

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

By Mr. WHITTINGTON

MARCH 27, 1944

Referred to the Committee on Flood Control

MARCH 29, 1944

Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued May 9, 1944, for actions of Monday, May 8, 1944)

(For staff of the Department only)

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SENATE

1. LEND-LEASE. Passed, 63-1, H. R. 4254, to continue the Lend-Lease Act for 1 year, with a Vandenberg, Mich., amendment limiting settlement powers (pp. 4177-91).
2. FORESTRY. Agriculture and Forestry Committee reported without amendment H. R. 3848, to increase from \$3,000,000 to \$6,500,000 the total appropriation authorization for the national survey of forest resources (S. Rept. 863)(p. 4174).
3. PRICE CONTROL. Sen. Murray, Mont., submitted an amendment which he and Sen. Wherry, Nebr., intend to propose to the price-control bill, together with an explanatory statement, to make additional provision for court review of OPA orders (pp. 4174-5).
4. FARM-MACHINERY RATIONING. Sen. Capper, Kans., criticized the handling of farm-machinery rationing and inserted a letter from a farmer on this subject (pp. 4175-6).
5. RECLAMATION. Irrigation and Reclamation Committee reported with amendments H. R. 3570, to provide as an emergency war project for the partial construction of the Hungry Horse Dam, Mont. (S. Rept. 862), and S. 1782, to amend the Reclamation Project Act of 1939 so as to extend the time in which amendatory contracts may be made (S. Rept. 859) (p. 4174).
6. BANKING AND CURRENCY. At the request of Sen. McCarran, Nev., a pamphlet by F. H. Brownell, "Hard Money," was ordered printed as S. Doc. 192 (p. 4175).

HOUSE

7. FLOOD CONTROL. Began and concluded general debate on H. R. 4485, the Whittington flood-control bill (pp. 4199-234). Rep. Whittington, Miss., described the bill's provisions (pp. 4204-12). Rep. Case, S. Dak., discussed flood damage to farm lands near the Missouri River (pp. 4226-7). Rep. Fisher, Tex., commended the soil-conservation practices advocated by SCS (pp. 4231-2). For the bill's provisions, see Digest 57.

8. INDEPENDENT OFFICES APPROPRIATION BILL. Reps. Woodrum, Fitzpatrick, Starnes, Hendricks, Wigglesworth, Dirksen, and Case were appointed House conferees on this bill, H. R. 4070 (p. 4194). Senate conferees were appointed Mar. 23.
9. TRANSPORTATION. Agreed to the conference report on H. R. 3261, providing for return to private ownership of Great Lakes vessels of 1,000 tons or less (p. 4194). This bill will now be sent to the President.
10. PERSONNEL. Agreed, without amendment, to H. Res. 535, providing \$50,000 additional for the investigations of the House Civil Service Committee pursuant to H. Res. 16 (pp. 4194-6). This resolution had been reported by the Accounts Committee earlier in the day (p. 4252).
11. APPROPRIATIONS; FORESTRY. Received from the President a supplemental appropriation estimate of \$596,000 for the Forest Service in connection with administration of increased demands for forest timber, surveys and appraisals to further sales, and the recently enacted sustained-yield forest-management bill (H. Rep. 576). To Appropriations Committee. (p. 4252.)
12. SMALL BUSINESS. Received WPB's proposed legislation "to amend" the Small Business Mobilization Act. To Banking and Currency Committee. (p. 4252.)
13. PETROLEUM. Rep. Voorhis, Calif., discussed petroleum's part in America's future (pp. 3234-48).
14. LEGISLATIVE-EXECUTIVE RELATIONS. Rep. Kleberg, Tex., discussed "government" and the functions of the legislative and executive branches (pp. 4248-51).

BILLS INTRODUCED

15. SURPLUS PROPERTY; SOIL CONSERVATION. By Sen. Gillette, Iowa, S. 1895, to provide for making surplus property available for soil and water conservation work through the distribution thereof, by grant or loan, to public bodies organized under State laws. To Agriculture and Forestry Committee. (p. 4174.)
16. FISHERIES. By Rep. Welch, Calif., H. Con. Res. 84, expressing the sense of Congress that the Fish and Wildlife Service should develop the fish industry in Puerto Rico and the Virgin Islands. To Merchant Marine and Fisheries Committee (p. 4252.)

ITEMS IN APPENDIX

17. CONSERVATION. Sen. Capper, Kans., inserted Secretary Wickard's speech, delivered before the American Wildlife Conference, on conservation of agricultural resources (pp. A2376-9).
18. RATIONING. Rep. Woodruff, Mich., inserted a Bay City (Mich.) Times article criticizing the recent relaxing of meat rationing in view of former rationing announcements (p. A2375).
19. FLOOD CONTROL. Rep. O'Mahoney, Wyo., inserted a St. Louis Post-Dispatch editorial discussing floods and their control in the Missouri River Basin by use of irrigation (p. A2370).
Rep. Simpson, Ill., inserted a Pike County Republican and Calhoun News editorials urging flood control measures for the Mississippi River Valley (pp. A2380-1).

round fight, and in my opinion, we still have 13 rounds to go."

"Any time you underestimate an opponent," he said recently, "you are going to get knocked on your backsides."

Young Johnson has been shot up three times and his fellow flyers credit his courage and flying skill with keeping him alive.

He thinks that Nazi pilots are "no better or no worse than American," but believes they lack initiative.

PERMISSION TO ADDRESS THE HOUSE

Mr. JACKSON. Mr. Speaker, I ask unanimous consent that I may have permission to address the House tomorrow for 30 minutes at the conclusion of the regular business and any orders heretofore entered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks and to insert therewith a newspaper article and some observations thereon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a statement made by me at a press conference.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a letter and an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

TENNESSEE VALLEY AUTHORITY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I have not taken up much of the time of the House to discuss the Senate amendments restricting the activities of the Tennessee Valley Authority. But since that proposition has gone to conference, I want to appeal to the House conferees not to agree to any amendment which would hamstring the T. V. A. in any way.

I was coauthor of the bill that created the Tennessee Valley Authority. I have

fought its battles from the very beginning. It has wrought the greatest development of ancient or modern times. It has brought new life to a great section of the country, reduced light and power rates to their proper levels, and furnished a yardstick for the rest of the Nation. From the T. V. A. has sprung our rural electrification program which has spread through the Nation, and brought to the farmers of the country the greatest benefits they have ever enjoyed.

In the T. V. A. area today there are more war materials being produced perhaps than in any other area in the world.

The T. V. A. is contributing more to the war effort than almost any other institution under the shining sun.

It would be a serious mistake to adopt amendments that would hamstring or cripple the T. V. A., especially at this time when it is carrying out the greatest program ever developed for the betterment of mankind.

The SPEAKER. The time of the gentleman from Mississippi has expired.

TENNESSEE VALLEY AUTHORITY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, there is no question but what the Tennessee Valley Authority has made a marked contribution for the betterment not only of the area it is serving but of the entire country. I can remember when the bill establishing that Authority was up, the main cry against it was that it constituted socialism. Many people, in good faith, made that cry and entertained that fear. It is just the contrary. The Tennessee Valley Authority has been an incentive for the production and development of private industry. It has done a real job and has served a real purpose and it has a tremendous future in which it can make even greater contributions than it has in the past for the development of the free enterprise that America stands for, a free enterprise not of 50 years ago, but a free enterprise consistent with the economic conditions that exist today.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

By unanimous consent Mr. COMPTON and Mr. GATHINGS received permission to extend their remarks in the RECORD.

AUTHORIZATIONS FOR RESERVATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. SLAUGHTER. Mr. Speaker, I call up House Resolution 517, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and all points of order against said

bill are hereby waived. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Flood Control, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SLAUGHTER. Mr. Speaker, I yield 30 minutes of the time to the gentleman from New York [Mr. FISH].

I now yield myself 10 minutes.

Mr. Speaker, this rule which comes before the House with the unanimous endorsement of the Committee on Rules makes in order the consideration of the bill (H. R. 4485)—the flood-control bill. I shall not attempt at this time, in discussing the rule, to go into the merits of the bill itself, leaving that for the Flood Control Committee; but I would like to briefly discuss the rule and the underlying principles back of the consideration of this flood-control bill.

This is an open rule. The bill for which the rule provides, comes to the House in the established way and in accord with the policy of the House. It has been, and is customary for a flood-control bill to be presented authorizing the Chief of Engineers to make a survey and to determine the value of any flood-control project. In determining the value of any flood-control project the primary consideration has been the value of the project. That is to say, no project has been considered as worthy of adoption if the cost exceeds the benefits. Thereafter, matters of this kind are referred to the district engineer, the man on the ground. If it receives a favorable report from him it goes to the division engineer. Eventually it goes to the Board of Rivers and Harbors in Washington, where it is reviewed by the Chief of Engineers, and if it is approved by the Chief of Engineers, the report is then filed with Congress and referred to the Committee on Flood Control, which procedure has been followed in this case.

After extensive hearings the Flood Control Committee has reported the bill to the House. The bill is one of the most comprehensive, if not the most comprehensive flood-control measure reported to the House up to this date. It seeks in and by its terms to provide a comprehensive plan and program of flood relief and to provide among other things, a reservoir of worth while, worthy projects for consideration after the war, to provide worth-while improvements, and at the same time to provide employment.

Prior to 1936 the flood-control policy of the Congress was for the most part, limited to the Mississippi and the Sacramento Rivers. In 1936, as the membership will remember, a general policy was adopted by the Congress and a Nation-wide bill was reported. In 1937 another bill was reported which was confined, for the most part, to the lower Ohio River.

In 1938 another comprehensive, Nation-wide flood-control bill was reported, and in 1941 the last flood-control bill was passed by the Congress, the 1941 bill being the last bill passed before the consideration of the bill which comes before the House today.

In approving the 1941 bill, the President stated that he would make no recommendations for the carrying out of the provisions authorized in the 1941 bill during the war. The same policy, of course, will be followed with respect to the present bill, with one or two slight exceptions. The purpose of H. R. 4485 is to provide essential authorization which will make possible the immediate consideration of proper and timely appropriation measures when the stress and strain of the war is out of the way.

It will be noted that the rule makes reference to the fact that all points of order against the bill are waived. Those are of very slight importance, but for the information of the House I call attention to page 4, line 21. The words "heretofore or," appearing thereat, refer to appropriations which would be subject to a point of order if the rule did not specifically waive the point. In substance, the bill provides that any funds on hand, heretofore appropriated, may be used, even during the war, solely for the purpose of making preliminary plans and investigations, compiling specifications, and matters of that kind. In other words, if any Member should introduce a bill to determine whether or not a flood-control improvement should be made in his district, the funds would be available to make the investigation, and for no other purpose.

On the very last page of the bill, page 30, there is also an exception, which might be subject to a point of order, which provides that the Secretary of Agriculture can use up to \$100,000 in any one year, out of moneys heretofore appropriated, to take care of emergency damage. That is to say, particularly in the western part of the country it frequently happens that, with the heavy rains, great landslides, boulders, and what not come down and endanger towns and traffic. This section provides that the Secretary of Agriculture can make emergency repairs up to but not exceeding \$100,000 in any one year.

I do not think there is any controversy about the rule, and, as I stated before, it comes to the House with the unanimous endorsement of the committee.

Mr. Speaker, I reserve the balance of my time and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I want to congratulate the gentleman from Missouri [Mr. SLAUGHTER] who has just spoken. He made a very able presentation. He is a new member of the Rules Committee, and evidently he has made a thorough study of the bill before the House and has presented the facts in a very concise and able manner.

Mr. Speaker, there was no opposition to this bill, H. R. 4485, in the Rules Com-

mittee. It is a bill authorizing the construction of certain public works on rivers and harbors for flood control and other purposes. As was so well pointed out, it waives certain points of order.

This bill provides an authorization of \$800,000,000 for flood control. That is the basic reason given for the items in the bill, but funds may be used under provisions of the bill for navigation, reclamation, and irrigation projects.

Prior to 1938 the States were trying to carry out through State compacts, flood-control supervision. Now, since we adopted the law of 1938, the Federal Government puts up all the money—100 percent, to control floods.

Mr. Speaker, there is very little in this bill in behalf of the great Empire State of New York. I could find very few items that affect New York at all. I have, however, received a letter from a constituent of mine in regard to a project in Vermont, which letter I desire to read. I call this particular project to the attention of the membership and hope it will be thoroughly discussed. I am not familiar with it but certain charges are made in the letter and I believe the gentleman from Vermont [Mr. PLUMLEY] probably has full knowledge of the facts and will present them to the House in due course.

This letter is dated May 6, 1944, and is addressed to me by a constituent, Mr. D. W. DeWitt, of Walton, N. Y. The letter reads as follows:

WALTON SAVINGS & LOAN ASSOCIATION,
Walton, N. Y., May 6, 1944.

Hon. HAMILTON FISH,
House of Representatives,
Washington, D. C.

DEAR SIR: I note by the papers that H. R. 4485 will come up for a vote probably next week. I am very much opposed to the Williamsville (Vt.) project which is included in this bill and I want you to use your efforts to have this eliminated from the bill.

I used to live in Newfane and Brattleboro, Vt., and I know just what this project is going to mean to the entire West River Valley. It would not be so bad if this was simply a flood-control project and they planned to construct a dry dam which have been most successful in the territory around Montpelier, Vt. This is not a flood-control project at all but a power project which the administration is trying to put over on the people of southeastern Vermont. It is one of the biggest frauds which I have ever seen sponsored in the guise of flood control.

I hope that I may have your assurance that you will do everything you can to have the Williamsville project eliminated.

Very truly yours,

D. W. DEWITT.

As I said, Mr. Speaker, I am not at all familiar with this project. This bill is supposed to be a flood-control bill and not a power-project bill. I hope the gentleman from Vermont, the very distinguished Representative [Mr. PLUMLEY], will in his time explain this project. I have no knowledge of the facts except as contained in the letter which states specifically that it is not a flood-control project but a power project.

The SPEAKER. The gentleman from New York has consumed 5 minutes.

Mr. FISH. Mr. Speaker, I yield myself 1½ additional minutes.

I feel therefore that it is only fair the House should have all the facts before it acts on the bill and this particular proj-

ect. Mr. Speaker, I am merely calling the attention of the membership on both sides of the House as well as the committee to the fact that if it is a power and not a flood-control project and is opposed by the people of that district it should be stricken from the bill.

Meanwhile, Mr. Speaker, this bill comes to the House with a unanimous report from the Committee on Rules.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. PLUMLEY. I shall undertake to discuss this measure in my time under general debate rather than under the rule.

Mr. FISH. Could the gentleman from Vermont tell me whether this opposition by one of my constituents is warranted, and as to whether it is a power project or flood-control project?

Mr. PLUMLEY. The opposition is warranted.

Mr. FISH. That is all I wanted to know; therefore, if opposition is warranted I hope the House will consider this particular project seriously.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. CHURCH. I want to add also that I believe the opposition is warranted.

Mr. FISH. The statement of both these distinguished Members of the House support the contention of my constituent. I trust therefore at the proper time that a fight will be made on it and all the facts presented.

Mr. CLASON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. CLASON. I should like to call the gentleman's attention to the proviso on page 1 of the bill, Connecticut River Basin, on the question of whether or not there should be any power in this dam at the Williamsville site. A proviso was put right in there that neither this authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site; in other words, in order to have power the height of the dam would have to be increased by 75 feet. The committee after hearing the witnesses decided to eliminate power from this site and therefore put in this provision for the specific purpose that they cannot have the 75 additional feet of height on that dam. Power therefore is eliminated and the dam will be constructed for flood control only.

Mr. FISH. I hope the gentleman is correct, but I suppose that will be debated upon the floor at the proper time and that the House will then decide what it should do.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, practically every district in the State of New York has at one time or another in the past been threatened and ravaged by floods. My district, which is at the confluence of the Susquehanna and the Chenango Rivers is certainly one outstanding example of this. Every

once in a while the Chenango River gets on a rampage and comes down at a terrific rate from its source and, meeting the Susquehanna River, produces a bad situation to the people in my particular area.

The Whitney Point Dam project which was instituted about 10 years ago did a great deal to remedy the trouble at the junction of the Chenango and Susquehanna Rivers. This plan, however, and unfortunately, harnesses only the Chenango River because it takes several tributaries of the Chenango and checks their flow. It does not improve the Susquehanna menace however. Although flood walls were erected at Binghamton, which is at the junction of these two rivers, they have done little good. A few miles farther down the river at Johnson City, Endicott, and Vestal the lowlands along the banks of the Susquehanna are still flooded every year with a great deal of accompanying property damage in the central and greater Endicott area on the one side of the Susquehanna and in the Vestal area on the other. I will say also that no substantial remedy has ever been offered by the Army engineers for whatever happens in this area during floodtime. For that reason I am thinking very seriously of asking for additional funds in this bill when the proper time comes, funds to improve this Endicott area which is so greatly in need of some sort of remedy.

I should say in passing that the Whitney Point Dam project previously referred to has been of much value to the vicinity of my home city of Binghamton but it has not helped farther down the river. There are various theories which the Army engineers should consider putting into practice. One of them is dredging, which local flood-control groups advocate.

A great deal of the sediment of the Susquehanna and Chenango piles up at points around the Endicott area and has formed islands. It has caused the regular overflowing of the Susquehanna in these places and inundating lowlands where valuable property is located. Unfortunately to date nothing has been done to remedy the difficulty. I have talked with several of the Army engineers about this matter. I personally believe, which belief is shared by many of the residents in that area, that dredging could be done effectively.

It costs money to do dredging and it costs money to build flood walls. For these reasons it will require extra money in this bill for Endicott and vicinity to accomplish any degree of effective protection from the Susquehanna River. I ask the House and the committee to give careful consideration to the matter because the people of this area have suffered year after year. It is not a question of suffering every 5 or 10 years, it is a case of suffering every single year when the Susquehanna overflows its banks at that point and a lot of property is damaged.

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield the gentleman 1 additional minute. Will he yield to me?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from New York.

Mr. FISH. I would like to ask the gentleman a question because he represents part of the district today that had been assigned to me. Does this flood-control measure in any way affect Delaware County which is now a part of my district, formerly a part of the gentleman's district?

Mr. EDWIN ARTHUR HALL. The Susquehanna rises in Oswego County. It comes down and flows through Chenango County. It does not strike Delaware County at any appreciable point except around the village of Sidney, where some steps have been taken, I think, with effect. The Delaware River is the principal river in the county the gentleman refers to. The Susquehanna River is limited to mainly Otsego, Chenango, and Broome Counties in New York State and that area is affected more than any other point. It is my sincere hope that something will be done about it right away for the sake of the people of Johnson City, Endicott, Vestal, and that vicinity.

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield 6½ minutes to the gentleman from Michigan [Mr. WOLCOTT.]

Mr. WOLCOTT. Mr. Speaker, it seems to me that we should proceed rather cautiously in respect to bills of this nature. The thing which is disturbing the American people and this Congress as much as anything else is the effect of a possible \$300,000,000,000 debt on our post-war economy. We are in no position today to say whether we need \$810,000,000 of construction for the purpose of taking up the slack caused by unemployment or \$80,000,000,000. This Congress should keep itself in a position where it can legislate for the post-war period when we reach it. There is a formula to which many subscribe that national income has a certain relationship to the construction of durable goods. It has been said that the construction of durable goods is about 16 percent of national income, and if we maintain a national income of between one hundred and twenty-five and one hundred and thirty-five billion dollars, public works being a part of durable goods construction, then we must gage this post-war economy and our national income upon the amount which we authorize for the durable-goods industries, including public construction, no more, understand, then is necessary to create the base upon which our post-war economy can build a structure to maintain a national income sufficient to carry this great burden.

I call your attention to the fact that the passage of this bill will invite other proposals similar to this. Wednesday morning the Roads Committee meets in executive session to determine the advisability of reporting an authorization for \$3,000,000,000 for construction of roads and highways for our post-war needs. The Roads Committee has studied this for weeks and months, yet we do not know what the needs in the post-war world are going to be; so it is rather embarrassing to have these bills

come in here at a time when the post-war economic condition is as nebulous as it is at the present time. These are more or less commitments. If the project is instituted, if the planning is done, if the surveys are made, then, of course, we are morally bound to appropriate the money for the construction of them.

I want to call your attention also to the fact that this bill provides not only for flood control but provides that under the authority of this act all of these authorizations may be used to develop power projects. These authorizations may be used also to construct, maintain, and operate recreation facilities, conservation facilities, and other facilities which, of course, is so all-embracing, and is not restrictive in any manner, that the authorization in this bill could be used for construction of anything which the War Department determines to be a facility. The only limitation upon these facilities is that they must be advantageous to the interests of the United States and we have absolutely nothing to say in this bill as to whether they shall be considered in the interest of the United States or not.

We are expected to adopt this bill on the premise also that it is necessary for the national security. If these projects are essential to the national security then they should be constructed immediately and not after the war.

The bill goes on further to say that we should construct these projects so that we will have an adequate reservoir of useful, worthy public works for the post-war construction program. We do not know at the present time whether this bill will be ample. We do not know anything about our post-war period. For these reasons I come to you with the thought that if you pass this bill, you will have a \$3,000,000,000 bill reported out of a committee for the post-war construction of highways. You may expect another bill providing billions for irrigation and other projects. We must take the responsibility because this country is broke today and the people of this country are looking for retrenchment in nonessential expenditures.

The SPEAKER. The time of the gentleman has expired.

Mr. SLAUGHTER. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

[Mr. SABATH addressed the House. His remarks will appear hereafter in the Appendix.]

DEBT LIMIT BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that beginning on Wednesday next it may be in order to consider the bill (H. R. 4464) to increase the debt limit of the United States; that there shall be not to exceed 4 hours of debate, to be confined to the bill, and to be equally divided and controlled by myself and the ranking minority member of the Committee on Ways and Means.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENSION OF REMARKS

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein an article by Will Kennedy.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

[The matter referred to appears in the Appendix.]

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND WALLS FOR FLOOD CONTROL

Mr. FISH. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. McLEAN] 3 minutes.

Mr. McLEAN. Mr. Speaker, when we were considering the so-called simplification tax bill on last Thursday I pointed out that personal income taxes for the first 9 months of this fiscal year amounted to upward of \$12,000,000,000. Of course, there will be a material increase in addition to that when the collections for the balance of the fiscal year are added. I made the charge that the pending bill was a revenue bill. Since that time I have verified some of my observations and am convinced more than ever that the so-called simplification bill is a revenue bill. It will provide new revenue from the personal income taxes upward of \$2,000,000,000 as against a loss claimed by its proponents of \$60,000,000.

By reducing the personal exemption of approximately 20,000,000 taxpayers—the figure is official—by \$200 each there will be created additional taxable income of \$4,000,000,000. Taxed at the minimum rate of 20 percent surtax and 3 percent normal tax, this increased taxable income will produce \$920,000,000. The Treasury admits \$300,000,000. This item will be further increased by the limitations placed on the use of this exemption.

By increasing the surtax rates there will result additional revenue of at least \$750,000,000.

These estimates are conservative; also, they do not take into consideration any income from those whose taxes will be increased by reason of the reduction of the personal exemption placing them in the higher brackets, nor do they include any surtax income from those of the 9,000,000 Victory taxpayers who have never paid surtaxes before, but who will now be included in that category.

These new rates and adjustments will apply to income for the current calendar year. The bill makes them retroactive to January 1, 1944. The withholding features which the above manipulations are intended to implement are not effective until January 1, 1945. Hence all receipts for 1944 will be velvet.

The claim is that increases in the surtax rates and reduction in personal exemptions are necessary incident to simplification to offset increases in dependents' allowances of \$290,000,000, losses by reason of the integration of the Victory tax of \$240,000,000, and losses created by the standard deduction allowance amounting to \$370,000,000. Accepting

the figures as correct and making ample allowance, the new revenue under this bill will exceed \$2,000,000,000. Additional revenue will be realized from the potentialities of the devices created by the bill.

This is in strong contrast with the claim that the Treasury by reason of the adoption of the bill in its present form will suffer a loss of \$60,000,000.

It is also significant to note the testimony of the Secretary of the Treasury before the Committee on Ways and Means when he was seeking \$6,500,000,000 of additional revenue. He recommended the repeal of the Victory tax, the lowering of the personal exemptions, increased rates, and the repeal of the earned-income credit. The pattern at that time, when the Secretary of the Treasury was seeking an increase in taxes of \$6,500,000,000, is very similar to that incorporated in the simplification bill. In the first instance the plea was for more revenue. Now, it is for simplification without substantially changing the number of taxpayers or the revenue yield under existing law.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BISHOP] 3 minutes.

Mr. BISHOP. Mr. Speaker, the Mississippi River Commission says that with the great Mississippi River levee system rapidly approaching completion, the control of the meander of the river has become the most urgent and difficult problem confronting those responsible for the safety of the valley and the maintenance of free, easy, and unobstructed navigation.

This, I am sure, you will find on page 13 of the report. It tells about the district which I represent at the present time being under water.

It is estimated that a million and a half acres of land are flooded by the Mississippi and its brim-full tributaries, the Illinois and Missouri Rivers.

From the Gorham, Jacob, and Minert sections of southern Illinois over 1,100 people were moved without the loss of a single life. When the levee broke around Ware and Wolf Lake, the people were evacuated without loss of life. Many had already moved from their homes and livestock had been transferred to places of safety.

It is expected that farmers will be afraid to plant another crop this year as the lowlands will probably flood again later.

I bring to your attention that these particular levees and dams were repaired last year. This is the largest flood they have had in that area in the past 100 years.

This piece of legislation is imperative to these people who need and deserve assistance.

I also want to take this opportunity to bring to the attention of the Members of this House and the American people the grand job being done by the United States Coast Guard, the Federal troops, State militia, and the civilian volunteers. A word of commendation should also go to the American Red Cross and the Salvation Army for their fine work.

Mr. FISH. Mr. Speaker, I yield the balance of the time on this side to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, while it is ordinarily considered that a bill of this type, on flood control, is a bill of expenditures, I think we can just as correctly discuss this legislation as though it were in fact a revenue bill, because flood control is a means both of saving expenditures to this Republic and, due to the fact that so many multiple-purpose dams are being built and provided, of increasing the revenue which this country can later collect in the form of taxes.

Before discussing this legislation any further, however, I wish to pay my personal respects to the splendid House Committee on Flood Control. I have frequently during the past 4 or 5 years been before that committee as a witness or sat in the committee room as a "kibitzer" watching it function. I know of no committee, although the House of Representatives is blessed by many hard-working, intelligent, and able committees, which approaches its work more systematically and painstakingly than the Committee on Flood Control. I know of no committee chairman who is more sincere, more courageous, and better informed on the responsibilities presented to his particular group than the amiable but very determined gentleman from Mississippi [Mr. WHITTINGTON]. I think this House can go far in accepting the recommendations of a committee and a committee chairman who habitually down through the years have approached their work with this systematic and statesmanlike attitude.

In discussing H. R. 4485, as a Representative from the First District of the State of South Dakota, I am naturally interested particularly in the project which deals with the Missouri River, which flows through my State all the way from north to south. But as a Member of the House of Representatives I am equally interested in the other projects, because this bill is of tremendous value to the country as a whole.

I have spent some time studying not only the specific proposals for the Missouri River, which begin on page 12 of the bill, but the other proposals encompassed in the entire omnibus flood-control bill. It seems to me we should keep clearly in mind that when we deal with a flood-control measure of this kind we are not simply orating about post-war planning but are actually engaging in specific and tangible post-war planning. Here is something tangible, here is something practicable, here is a post-war engineering program of river improvement which, if authorized, as I hope it will be in this legislation, will enable this country to get busy immediately after the war to take up the slack of unemployment and to correct some of the serious evils which have been plaguing this Republic since the memory of man runneth not to the contrary.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Ohio.

Mr. MCGREGOR. I am sure we all have high regard for the gentleman's

opinion. I wonder if he feels that the provision on page 2, line 24, where authorization is given to the Chief of Engineers under the supervision of the Secretary of War to construct, maintain, and operate recreation, conservation, and other facilities, is a change from the present law.

Mr. MUNDT. Yes; that is an amendment, and a very commendable one, written into this legislation and showing a growing tendency on the part of this Government to give additional consideration to conservation. It is my hope that the policy outlined in section 3 of the bill which emphasizes the opportunities for sound conservation developments will hereafter be included in all river-control legislation.

I want to say at this point that, unlike the gentleman from Michigan [Mr. Wolcott], who seems somewhat worried about that provision, to me that is a very commendable policy, because as we conserve our natural resources, as we make available new recreational areas, as we learn to cooperate more intelligently with Nature and her great resources, we contribute not only to the health and to the happiness of this Republic but to its prosperity and to its wealth as well.

In dealing with flood control we are engaging in the challenging business of taking a destructive force, which destroys wealth and kills people and robs homes of their livelihood, and making it a constructive force. I know of nothing which should appeal more to the Members of this legislative body than an opportunity to change destructive forces into constructive powers. We do that in harnessing floods and utilizing the waters for constructive purposes.

I do not at all share the worry of the gentleman from Michigan [Mr. Wolcott], that this is a dangerous piece of legislation. It seems to me it is very wise and economically sound post-war planning. It is the type of legislation to which this Congress should speedily devote itself not only in the field of water utilization and flood control but in other aspects of the great economic problem confronting this country. I am happy that this committee has brought before us something we can actually do now from the standpoint of meeting the post-war problems confronting this country.

I do agree with the gentleman from Michigan [Mr. Wolcott], however, that we are facing some terrifically challenging financial problems after this war. I want to pursue that problem a little bit further. I would say to the gentleman, How do you meet a financial problem as a Government? You cannot repudiate your debts. We do not want to meet them by inflation. Consequently, we have to raise the tax money either by increasing the tax schedules or by expanding the base of taxation. This legislation gives us an opportunity to extend the base of taxation. It enables us to meet this problem by broadening the base of taxation so that present revenue schedules will raise an increased amount of money for the Federal Treasury.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota.

Mr. MUNDT. Thank you, sincerely. We have been advised by experts who have examined all of this evidence that the creation alone of the flood-control and irrigation projects proposed along the Missouri River, starting on page 12, will add a forty-ninth State to the Union, a forty-ninth State to help pay the taxes, a forty-ninth State to help take up the lag of employment, a forty-ninth State to assume its share of the great burden of debt which this country is going to have after the war. That, if you please, is wise economy. That, if you please, is why I say this could be considered a revenue bill, because these multiple-purpose dams not only eliminate the annual expenditures now caused in order to correct the damages of floods, but they in turn can be used with very little additional expense to generate power with which we can turn the wheels of industry. They can be used to make navigation available where navigation is feasible and necessary. They can be used—and I emphasize this because it is the most important of all—to provide irrigation in a great section of the agricultural Midwest which now has short crops in some seasons and no crops in others because of a lack of water. By using the water held back from the floods to irrigate these semiarid sections we are in turn making an economic contribution to this Republic by giving the farmers of that area the crops, the livestock, and the production necessary to assume their proper burden of taxation.

So I commend to this body the adoption of this rule and the passage of this legislation in the shape and the form recommended by the members of the Committee on Flood Control, who have given it such careful and analytical study.

In conclusion let me say a few words about the section of H. R. 4485 dealing with the Missouri River Basin. It is found beginning on page 12. It provides for the authorization of \$200,000,000 for the initial construction on a plan of improvement of the Missouri River area for flood control, irrigation, power development, navigation, and other purposes substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 475, Seventy-eighth Congress, second session. It happens that I have been attending meetings and discussing plans for flood control and river improvement on the Missouri River since 1929. Last summer, in company with Gov. M. Q. Sharpe, of South Dakota; Col Lewis A. Pick, of the United States Army engineers; Mr. W. G. Sloan, engineer with the Bureau of Reclamation; and others, I visited all eight States of the Missouri River area. From out of these years of study and work and this series of meetings I can tell you, ladies and gentlemen of the House, that this program has the overwhelming support of the people of the eight States comprising the Missouri Valley area.

On the 1st of May the Bureau of Reclamation made a report to Congress com-

prising a comprehensive engineering study of the water resources of this same area. I have this report in my office. I have devoted many hours to its study and to discussing its provisions with various engineers, with many of my colleagues, and with representatives of the Bureau of Reclamation and the United States Corps of Engineers. It gives me genuine gratification to report that the points on which the studies of the Bureau of Reclamation and the United States Corps of Army Engineers complement and reinforce each other are far and away in excess of any points on which they are in conflict. In fact, the differences are so very minor that it is now apparent that a coordinated program of water utilization and river improvement can be developed between these two agencies which will provide the optimum benefits to the people living in this great Missouri River Valley.

Both the officials of the War Department and of the Bureau of Reclamation have shown a commendable willingness to sit down together in order to reconcile their studies and recommendations to each other. The Army engineers have agreed to build the dams high enough to impound water sufficient for irrigation and where this is desirable only the limitation of engineering science and topography will hold down the size of the dams for which a justifiable case can be constructed on sound economic grounds in connection with irrigation projects.

We in South Dakota are interested in all of the multiple purposes for which dams are built. We are interested in flood control because portions of our rich agricultural lands and some of our cities have been damaged by inundation through floods. In 1943 these floods on the Missouri River, which I would have you remember, is the longest river in the United States, caused a direct damage of \$47,382,000. Indirect damages were even higher so that a \$100,000,000 flood loss is a conservative figure to describe the costs of floods to this Republic last year along the Missouri River alone. This year this area is once again being seriously flooded.

We in South Dakota are interested in hydroelectric power. An abundance of cheap power will help electrify our farms and bring industries out to our State to process the raw materials with which we are so providentially blessed. We have the world's largest deposits of manganese in South Dakota. We have large undeveloped coal fields. We have timber. We have the richest gold mine in the world. We raise vast quantities of livestock and grains. For all of these reasons the citizens of South Dakota are vitally interested in the possibilities of abundant hydroelectric power.

For the same reasons that we are interested in power, we are interested in river navigation. Wherever river navigation is feasible and economically sound it finds ready supporters in South Dakota. Many of our products are of the type known as heavy commodities and anything which reduces transportation charges adds to the income of our citizens as shippers and reduces the costs of

the heavy nonperishable supplies which we purchase.

Finally, and most emphatically, South Dakotans are interested in irrigation. Growing out of the river-development program outlined in House Document 475 and the May 1 report of the Bureau of Reclamation there now beckons to us one of the greatest and most profitable irrigation opportunities in this country. A proposed irrigation project near Huron, S. Dak., is one of the largest ever engineered by the Bureau of Reclamation. It encompasses some of the richest soil in this Republic. It envisages making available a regulated and consistent supply of moisture which will add greatly to the farm products available to this country and to the world. From the water impounded behind dams erected for flood control can come the source supply needed to fill irrigation ditches and bring moisture to hundreds of thousands of parched acres.

Because of his interest in irrigation, Governor Sharpe of South Dakota who more than any other one man has spearheaded the crusade to inaugurate a scientific program of river controls on the Missouri River, suggested when he appeared before the Flood Control Committee of the House on February 16 of this year that language could be written into the flood-control bill which would protect irrigation interests in the upper portions of the river valley. I am glad to report to the House that these reservations are incorporated in H. R. 4485. I refer this House to the language found on page 24 of the report and which in turn appears on pages 12 and 13 of the bill itself. I quote:

Provided, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law: *And provided further*, That portions of the storage authorized for the main stem of the river shall be placed on tributaries if the Secretary of War and the Chief of Engineers find such action advisable for silt control and in order to make more water readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost.

Mr. Speaker, H. R. 4485 has been carefully designed to control floods and curtail their devastating ravages. It has been designed with equal care to provide for the constructive utilization of the water which now rages madly down the valley bringing death and destruction in its wake. It deserves the support of this House and the country. I hope the rule bringing it before us for action will be speedily adopted and that the legislation, itself, can be made a part of the laws of this land as a significant step in prudent and productive post-war planning.

[Mr. McKENZIE addressed the House. His remarks will appear hereafter in the Appendix.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. SHAFER] may ex-

tend his own remarks and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

AUTHORIZATIONS FOR RESERVATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. SLAUGHTER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. WHITTINGTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

FLOOD CONTROL BILL

Mr. WHITTINGTON. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, while national flood control appropriations except in emergencies to protect war plants have been discontinued for the duration, the losses in lives and property in the floods of 1943 and in the existing floods of 1944 in the midcontinental area have focused public attention not only upon the necessity of renewing flood control appropriations but upon the importance of extending and enlarging flood control authorizations.

EMERGENCY APPROPRIATIONS

The Committee on Flood Control conducted hearings during the month of June 1943, and an emergency appropriation of \$10,000,000 was authorized and made for the repair, restoration, and strengthening of levees and other flood control works threatened or destroyed by recent floods. These floods were widespread and the entire appropriation was expended.

A major flood is now in progress along the upper Mississippi River and its tributaries including the Missouri and the Illinois. The Chief of Engineers has visited the flood-stricken area and is making an estimate of the loss and damages and of the amounts required to repair flood control works which were constructed largely by the local interests so that crops for 1944 may be protected. The committee now plans to report speedily a separate authorization for the immediate emergency repairs.

COMPREHENSIVE AUTHORIZATIONS

H. R. 4485 was unanimously reported by the Committee on Flood Control after exhaustive public hearings in June 1943 and in February 1944, for authorizations in all of the principal river basins of the United States for construction following the war. A comprehensive report accompanies the bill, and the hearings in two volumes are available to Congress and the country.

FLOODS

Floods have harassed man in all ages and in all countries in both war and peace. The Chinese found it necessary to control the floods along the great rivers of the Celestial Empire from the earliest times. The records of floods in China extend over a period of 4,000 years. The levees along Chinese rivers were first constructed while Europe was still a wilderness. Some of China's greatest legendary heroes are her engineers. One of them is Li Ping. A beautiful temple has been erected to his memory. There is inscribed in letters of gold at the entrance of the temple his command: "Dig the bed deep and keep the banks low."

The Egyptians constructed dikes and reservoirs in the early dawn of history. Menes was the first king of the first dynasty. Some authorities place his reign about 4,000 years before Christ. Others place it 5,000 years before the Christian era. His flood-control project, according to the Greek historian Herodotus, appears to be the first undertaking of its kind on record. Levees were constructed to protect the ancient city of Memphis. Dams were built to provide water for the arid lands. Lake Moeris, a huge reservoir constructed by the Pharaohs of the twelfth dynasty, was accounted one of the seven wonders of the world.

Four thousand years ago the Egyptians built a canal 100 miles long to connect the waters of the Nile and the Red Sea. Canals were constructed in other countries in ancient times. The 1,200-mile Grand Canal of China, begun 2,500 years ago, is still the world's longest canal.

While ancient Egypt was struggling to regulate the waters of the Nile, Babylon controlled the waters of the Tigris and Euphrates. Elaborate canals and ditches were built to supplement the works of nature by Babylon 4,500 years before Christ.

The Romans maintained the ancient Egyptian flood-control and river works so efficiently after Egypt came under the dominion of Rome, that Egypt was the chief granary and one of the richest provinces of the Roman Empire. The structures built by the Egyptians are the oldest in history. The Great Pyramids, marvels of engineering, were constructed 5,000 years ago. "All things fear time, but time fears the Pyramids."

The longer one lives, the more one is impressed by the close connection between ancient and modern times. In both the ancient and modern worlds, engineers have played a chief part in all civilizations. When we think of flood control, we think of great engineers and

great public works. Engineers made marvelous contributions to the civilizations of antiquity. They have left their monuments in systems of canals in the Tigris and Euphrates Valleys in great reservoirs like the Fayum in the upper Nile, in the Pyramids of ancient Egypt, in the Great Walls of China, and in aqueducts and highways of the Roman Empire. Herodotus tells us of the great works of the architect Rhoecus of Samos as he speaks of his marvelous reservoir works and of the great temple of Herah. An aqueduct was constructed by King Hezekiah to supply the city of Jerusalem long before Christ.

As civilization in all countries advanced, man attempted to improve and control rivers. Sometimes he undertook to control the ravages of disastrous floods by keeping the high waters within the banks and between the levees supplementing the banks. Again he utilized diversions and constructed floodways. At other times he stored the excess waters in rainy seasons for use in time of scarcity. Dams were constructed to detain the flood waters to prevent the overflow of the valleys.

Floods are not more frequent than formerly. There were floods long before De Soto discovered the Mississippi and long before the Ohio Valley was settled. Deforestation has little to do with the frequency of floods. Soil erosion has been going on through the ages; it is responsible for the alluvial valleys of the United States. There is nothing new about dust storms. They have occurred in the United States and other countries for centuries, but man's mistreatment of the soil has multiplied both soil erosion and dust storms.

Rivers are among Nature's best contributions to the progress of man. But man must supplement nature. Impediments to navigation must be removed. Canals must be constructed, channels must be deepened, harbors must be kept open, and barriers must be removed. Transportation by water is the cheapest form of transportation, and the denser the population the greater the need for cheap transportation.

Rivers have always contributed to the advancement of mankind. The lack of navigable rivers has hindered the development of many countries. Cities in ancient and modern times located along the great rivers have grown and prospered. What would London be without the Thames? What would New York be without the Hudson? What would St. Louis be without the Mississippi? While rivers are among nature's greatest contributions, they must be improved, they must be controlled.

I know of no history that does not deal much with rivers. I know of no legend or fable that does not include rivers. There is a charm and majesty about rivers. As the ocean awes with its resistless power, so the river thrills and delights. The river is the most human and most companionable of all inanimate objects; it has a voice of its own; it is full of good fellowship and of delightful companionship. It can be friendly and helpful or it can be threatening and

destructive; it can be gay or it can be grave.

A drop of water could tell a wonderful story. It has made the long journey from the river to the ocean millions and millions of times. It has been lifted by the blazing sun from the sea or gulf, carried by the wind and storm across the plains, the hills, the valleys, and the mountains to fall as rain or snow and to join other billions of drops of water to form the little brook that ultimately finds its way into the great river that flows ever onward to the sea.

METHODS TESTED AND APPROVED

The history of floods in the United States and other countries is well known. They are not more frequent, as I have stated, but because of the advance in civilization, the destruction is greater. The forces of nature have been constant through the centuries. The time for argument and disputation with respect to the methods of solving flood problems has passed. Man cannot prevent floods but he can control them. He cannot prevent nor can he change the amount of rainfall, but he can alter the rate at which it will run off. He cannot prevent, nor can he change the amount of snowfall, but he can delay the snow by dense foliage and by other means from reaching the ground, and he can hinder the snow when it has reached the ground from being converted into rapid run-off. He can check the ravages of disastrous floods by keeping high waters within the banks and between levees supplementing the banks. He can hold back the rains and the snows by dams along the tributaries of the headwaters. He can detain the floods by larger dams below the headwaters. He can supplement the levees by diversion and floodways. He can straighten the channels and thus hasten the discharge.

The United States leads the world in engineering structures. Fort Peck, Grand Coulee, and Boulder Dams will each impound larger volumes of water than the far-famed Assuan Dam in the upper stretches of the Nile. The Panama Canal is the greatest artificial waterway ever built by the hand of man. The levees along the lower Mississippi River have required more than three times the excavation of the Panama Canal and they are the most massive structures in the history of mankind. Unparalleled progress in flood control has been made in the United States. The improvements began along the lower Mississippi River. More progress in the control of floods has been made in the United States in the past 15 years than in the preceding 150 years, and probably more progress has been made in flood control in the past 15 years than in the preceding 1,500 years. We now know that floods cannot be prevented, but we know they can be controlled. The works along the lower Mississippi River were primarily in aid of navigation until the great flood of 1927.

The Flood Control Act of 1928 first proclaimed that flood control was a national problem. A national policy for flood control was first adopted in 1936.

The policy and the program initiated by the act of 1936 have been extended by subsequent acts of Congress, including the acts of 1937, 1938, 1939, and 1941. The country and the Congress are in agreement that the planning and execution of flood-control projects should be a function of the Corps of Engineers of the United States Army and that the investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention should be prosecuted by the Department of Agriculture.

Prior to the act of 1936 flood control had obtained only along the lower Mississippi River and along the Sacramento River primarily in aid of navigation. The bill now under consideration reaffirms the policy proclaimed in the act of 1936. The bill constitutes legislative planning for post-war construction. It introduces certain modifications in the policy of national flood control, especially with respect to administrative procedure which will aid in carrying out the national flood-control program.

The works along the lower Mississippi River were tested in 1937, and the floods of 1943 and 1944 in the lower Mississippi Valley prove that Old Man River has been bridled and harnessed. The local protective works along the Ohio River were tested as they withstood the floods in the fall and winter of 1942. All factors of safety have been utilized. Levees, flood walls, reservoirs, cut-offs, spillways, channel improvements, and diversions have been authorized and constructed. The methods have been tested. The policy is sound. There is a reason for the success of the program. "All planning and all construction are under the supervision of the Corps of Engineers of the United States Army, who are the outstanding flood-control engineers of this or any other country and of this or any other age. Since 1936 substantially \$1,000,000,000 for national flood control for projects outside the lower Mississippi Valley has been authorized. Works have been approved in all the principal drainage basins of the United States. The Flood Control Acts of 1936, 1937, 1938, and 1941 approved works at an estimated cost of some \$2,500,000,000, but only partial authorizations for less than \$1,000,000,000 for the initiation and construction of the more important works were made. Congress has manifested foresight. The additional authorizations aggregating \$810,000,000 in the pending bill will provide for construction of flood-control works in all the river basins of the United States.

ENGINEERS AND RIVERS

In time of war engineers have always constructed the weapons of destruction. They build the tanks, the airplanes, the battleships, and the structures essential for the advance of the armies. No profession has contributed more to the progress of mankind than the engineers.

Rivers have served man in the past. They have molded peoples, and they have contributed to progress. In the future, as in the past, rivers will make nations great.

Rivers interest me. They fascinate me. They have always influenced the

course of civilization. They have a character all their own. They flow through the years and through the lands, and they flow across civilization. They make history. They bring life, and they bring destruction. They are the friends or they may be the enemies of man. Man himself makes the final choice.

Rivers are just as important in peace as in war. The great Russian and German battles have been fought over the Don, the Donets, and the Dnieper Rivers. The most famous campaigns of Gen. Ulysses S. Grant were along the Tennessee and the Mississippi Rivers. Rivers influence the course of war, but they influence the course of peace no less than war.

There are small rivers that are just as important as large rivers. There are small men who are just as great as large men. Important rivers, like important men, are not always large in size. Many of the most important rivers in the world are comparatively small, while the names of others much larger are seldom heard.

Of all rivers, the Mississippi is the most marvelous. Below the Missouri its waters are muddy. South of Cairo it flows into the Gulf of Mexico through the alluvial valley. The valley averages from 20 to 80 miles in width. Above the mouth of the Missouri its waters are green. There are beautiful palisades and wonderful limestone cliffs that tower far above the green waters. In the upper stretches the Falls of St. Anthony are not only beautiful but they are renowned in song and story. The Indians spoke of the Mississippi as the "Big River." When we think of the Mississippi River, we think of power and of glory. It is not only the longest but it is the greatest navigable river in all the world. It loses none of its interest and its fascination as it travels toward the sea.

The accomplishments of the United States Corps of Engineers have been characterized by initiative and courage. Experiments as well as studies have been utilized. The cut-offs that have shortened the lower Mississippi River between Helena and Baton Rouge substantially 138 miles, tested as they have been by actual floods, are among the monumental engineering achievements of the world.

NOT FINAL NOR STATIC

Flood control, like science, knows no finality. The adopted projects are flexible and can be expanded. All works, as authorized, will be utilized in the program of expansion. Flood control is neither final nor static. As new problems arise, new solutions will be found.

FLOOD CONTROL AND CONSERVATION NOT SYNONYMOUS

Power advocates and conservationists often foster projects under the guise of flood control. Water is the most valuable of our natural resources. It should be utilized for the benefit of man. It should not be wasted nor polluted. There is a place for soil conservation. There is a place for reforestation. Power must be developed. However, soil conservation and reforestation supplement

but do not supplant flood-control works. Water uses and water conservation should be provided, where feasible, in the construction of dams. Power should be developed wherever practicable in the building of dams, but the public should be advised whether the works are primarily for power or primarily for flood control. They should be informed that there is a difference between flood control, and soil conservation, and reforestation. They know that floods obtained in the United States before the white man cut a tree or plowed a furrow. They know that a full reservoir is essential for the development of power, but they also know that an empty reservoir is essential for the storage of floodwaters. There is a place, however, for the multiple-purpose reservoir. Provision wherever practicable and economical can be made in the first instance for the storage of water for the development of power, but additional provision where required should be made for floods. All existing flood-control acts provide that penstocks in reservoirs shall be installed by the engineers where there are probabilities that power may be developed. The methods of flood control contemplate that floodwaters shall serve and not destroy man.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. Pardon me, in just a few minutes.

POST-WAR PLANNING

Mr. Chairman, we hear a great deal about post-war planning. We heard much of planning during the great depression that followed the crash of 1929. Much of the proposed planning is too theoretical. It is impractical. Too many professional planners cover too much territory, so to speak. They embrace too many activities, with the result that there is no definite information for legislation for specific improvements that are urgently demanded and that are entirely practical. Many of the so-called related activities are only remotely connected with the important activities. Confusion results. There is delay. Only tried and tested methods should be used. The jurisdiction of the Federal agencies for both planning and construction of the works has been definitely settled. Congress and the country are agreed that both the planning and execution of flood-control projects should be under the jurisdiction of the Corps of Engineers of the United States Army.

PUBLIC WORKS

Total war must be followed by total peace. Of course, the immediate task is to win the war, but when the war is won, when war production stops, and when our armed forces are demobilized, serious unemployment problems will arise. Wishful thinking is not sound planning. Careful study, more careful planning, and immediate preparation are essential. Prompt action now is imperative to provide for economic conditions then.

PRIVATE CONSTRUCTION

There is a place for private as well as public construction. There is a definite field for each. Private construction includes housing, utilities, railways, and

industrial construction. Private construction, like public construction, has been curtailed during the war. There will be an accumulated demand in the post-war period.

There are local public works that should be promoted and financed by the city, by the county, and by the State. Local sanitation, hospitals, and additional school structures will be needed in the post-war program. Victory is our chief objective, but true patriotism transcends war. Public works will be required following the war. There must be adequate planning now not only for peace following the war but for employment following the war. Otherwise the objectives of our armed forces will have been in vain. There is no place for the dole or work-relief program. They would only add to the economic ills following war. Public works contemplate long-range planning. They should be provided now for construction then. They must be fully planned if they are to be federally financed.

Many projects have been proposed under the guise of public works, but every proposal should be studied and tested. They should meet the requirements of sound public works. First, the project should have practical utility. Second, it should be economically sound. Third, it should be of the type that cannot compete with any facilities that can be provided through private enterprise. Federal public works should not conflict with private works and local public works.

Flood-control projects constructed in one State often benefit another State. Flood-control works are national in scope. They meet the Federal test. I know of no more satisfactory public works than flood-control improvements.

STUDIES

All of the principal rivers of the United States have been studied or surveyed by the Corps of Engineers of the United States Army. Reports have been submitted to Congress. Levees, flood walls, and reservoirs have been constructed. Local protective works along the Connecticut and reservoirs along the tributaries of the Connecticut have been constructed in New England. Authorized flood-control works have been constructed by the Corps of Engineers from Hartford, Conn., to Los Angeles, Calif., and from Seattle, Wash., to Jacksonville, Fla.

BACKLOG

We recall the depression following World War No. 1. We are apprehensive of another debacle following the present war. It is difficult to arm. It is more difficult to disarm. Post-war unemployment will be a major national problem. While we are defending our freedom and our way of life, we must not fail to take stock of the problem of unemployment which we must face when the war is over.

We must profit by the experience of 1920. We must profit by the experience of 1930. A reservoir of projects must be adopted. Backlogs should be provided and they should be real backlogs. Many wasteful and extravagant activities to provide employment were adopted in 1933. Haste and speed were imperative.

There was hunger in the land. Unemployment was widespread. There must be no repetition of waste and extravagance. There are Federal activities and there are public works that will promote the general welfare.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITTINGTON. Mr. Chairman, I yield myself 10 additional minutes.

The bill under consideration provides flood-control authorizations to increase the backlog of sound projects and to enlarge the reservoir of useful public works following the war. After all, the real problems of war never come until the war is over. Peace is really more difficult than war.

APPROVAL BY THE CORPS OF ENGINEERS

The system for studying and investigating flood-control projects is most efficient. The Chief of Engineers has the final say. Under his supervision is the Board of Engineers for Rivers and Harbors in Washington. In the field there is the division engineer. Under his supervision is the district engineer. All problems and projects are carefully studied and surveyed by the district engineer in the field. Their reports are reviewed by the division engineer. The reports and recommendations of the division engineers are reviewed by the Board of Engineers for Rivers and Harbors, and finally before submission to Congress, the reports are examined and either approved or disapproved by the Chief of Engineers. The Corps of Engineers represents the country and the Public Treasury. The pending bill contains no projects that has not been favorably considered by the Corps of Engineers and recommended by the Chief of Engineers.

DOMINANT INTERESTS

The Committee on Flood Control has adhered to the policy of reporting bills and reporting projects where the dominant interest is flood control. It often appears that navigation, irrigation, or power is involved. Provision is made for their development. Differences of opinion in executive departments as to the dominant interests respecting a few of the projects included in the bill exist. All interests were heard, and only those projects where the preponderance of the testimony showed that flood control was paramount are contained in the pending bill.

The Flood Control Act of August 18, 1941, contained all of the projects approved by the committee on which favorable reports had been submitted by the Chief of Engineers. Since the act of 1941, a number of reports on surveys authorized by Congress have been completed and reviewed by the Board of Engineers for Rivers and Harbors, and reports on flood-control projects with favorable recommendations have been submitted to Congress. The bill provides for additional authorizations for the prosecution of approved comprehensive plans, and it authorizes a number of individual projects which have been found economically feasible and desirable. It continues the procedure of authorizing additional surveys and examinations for flood control and finally authorizes the

sum of \$810,000,000 to be appropriated for post-war construction.

RESERVOIRS

Flood control is a national problem, and while local works are required in many cases, local works are not effective in other cases. In the case of reservoirs, it is most difficult to determine and to distribute among local interests the costs of construction. Moreover, reservoirs in one State detain waters that flood another State. Floods know no State lines. Reservoirs were authorized under the act of 1936, but they were not constructed except in some parts of the far West where there were no valleys and where the areas were largely canyon and without much value. Reservoirs were authorized along the tributaries of the Ohio, but they were not constructed because in many cases they did not benefit or protect from floods the areas in the States where they were located below the dams. The protection extended to other States. In some cases navigation was involved.

The country insisted that levees and flood walls alone would not do the job. Engineers maintained that the waters must be detained at the source and that reservoirs only would be effective. I repeat to emphasize that experience demonstrated that such reservoirs can only be constructed throughout the country upon the Federal Government's assuming the costs of easements and construction. The principle of local contribution otherwise obtains. Along all rivers the local interests are required to furnish the rights-of-way for levees and flood walls and to maintain the projects after completion. If the policy of the Government paying the costs of the rights-of-way for levees were abandoned, flood control would be irretrievably set back.

Again, under the guise of States' rights but in reality voicing the policy of the Power Trusts, there are those who object and oppose the construction of reservoirs for flood control where those reservoirs contain power possibilities. The opposition is without merit. Water is our most valuable resource. If floodwaters can be detained and if provision could be made economically for the development of power for the benefit of all the people in the area where they are located, a Federal policy that prevented the development of such power would be shortsighted. It would not be in the public or the national interest. It is passing strange that those who oppose the Federal Government's developing power and disposing of it to the people in the area where produced, giving to public institutions the refusal of the power with provision for compensating from the proceeds of power sold, the State and local jurisdictions for taxes that might otherwise be levied against private interests advocate construction by the power interests. At the same time those who oppose the Government's developing and disposing of power so produced advocate reservoirs for the generation of power by private institutions. I know of no more effective prevention of monopolistic power rates than Federal projects that we have as a yardstick where they are

justified in the river basins of the United States.

We have heard a great deal about reservoirs. We have heard about reservoirs being authorized and constructed in one State and we have heard that the beautiful valleys and farms in certain other States have been destroyed. It is time for a little careful thinking. Congress authorized a number of reservoirs in the upper Ohio in 1936, and it authorized reservoirs in every part of the United States to supplement the levees the diversions, and the floodways but except in the far West where the rights-of-way and the easements had no values in canyon countries, there were no reservoirs for flood control constructed until in 1938 when the construction of reservoirs was authorized at Federal expense.

There is a reason for that. It is difficult to apportion among the citizens along the Ohio River the benefits that will accrue to them by the construction of reservoirs along the tributaries of the Allegheny and the Monongahela, but they are in the interest of the national welfare. It is difficult to ascertain and by State compact or otherwise distribute in all fairness among the cities and the communities of the lower Connecticut River the benefits that will accrue from the construction of reservoirs in New Hampshire and in Vermont, yet I have heard some friends say, and they almost shed crocodile tears as they say it, that reservoirs will destroy the beautiful valleys in the magnificent Green Mountains and White Mountains.

Mr. PLUMLEY. Mr. Chairman, I object to that because we have not shed any crocodile tears.

Mr. WHITTINGTON. I may say in all fairness, and I respect the gentleman's opinion, that in those States there can be no projects for the development of power by utility companies that do not destroy the valleys in the same way. If we are going to shed tears—and I gladly withdraw the term "crocodile" because I have too high a regard for the gentleman and I would not hurt the gentleman's feelings for anything in the world—if we are concerned, so vitally concerned, with respect to reservoirs and flood control, we might equally be concerned when those same valleys and the same areas are destroyed by projects that develop power where high dams are essential for the development of that power, by utility companies.

Mr. Chairman, it must be kept in mind that while the Federal Government underwrites the cost of easements and rights-of-way and of reservoirs and all projects in all river basins throughout the United States, the Federal Government requires the local interest to provide for the rights-of-way for local levees and local protective works. That rule is universal and that yardstick obtains in all parts of the country. I know of no more effective prevention where flood control can be provided by reservoirs soundly and adequately, and personally I know of no reason why, if there can be developed at those reservoirs power for the benefit of the people in the area where reservoirs are located to give them a yardstick in order to ascertain if the

power companies and the utilities are charging them a fair price, we should not provide for this development. Moreover, if down in Alabama and Tennessee the T. V. A. can pay to those States a part of the income from T. V. A. to supplement the loss of taxes if those projects were under private development, I know of no reason why that cannot be done elsewhere.

FLOOD CONTROL AND RECLAMATION

It is a source of satisfaction to me that there has always been cooperation between the advocates of flood control, rivers and harbors, and reclamation. The utilization of our natural resources has been promoted by all. Unfortunately there is rivalry not only among groups but in governmental departments. There is room enough in this broad land of ours for all activities to utilize water for the progress of man. There is no real occasion for rivalry or conflict. Those who promote discord and those who undertake to drive a wedge between the advocates of flood control and reclamation are rendering both interests a distinct disservice.

Much is said about the appropriation of waters and about rights of States to the uses of water. The Committee on Flood Control has been most careful to recommend no project and to include no provision in the pending bill that would in any way retard reclamation. As I have indicated, no project has been reported unless the dominant interest is flood control. The committee went out of its way. It invited the Commissioner of Reclamation to appear before the committee. It invited those who shared his views and his fears to submit their argument to the committee. Careful consideration was given to the views of all. The States have no power of appropriation or power of use that is not accorded to them under the Constitution. While the State control of waters is subordinate to the jurisdiction of the United States under the Constitution, as decided in the case of *United States v. Rio Grande Dam and Irrigation Co.* (174 U. S. 690), *United States v. Appalachian Power Co.*—the New River case—(311 U. S. 377), and *Oklahoma v. Atkinson*—the Red River case—(313 U. S. 556), and while the paramount right under the commerce clause of the Constitution is in the Federal Government, in every way even to the extent of stretching the Constitution, the Federal Government has cooperated with the arid States and has promoted and aided reclamation. The Committee on Flood Control gave most careful consideration to the recommendations of the Commissioner of Reclamation as to legislative provisions. Section 6 is included in the bill to protect and to promote reclamation. There is no occasion for quibbling. Reclamation projects constructed will be under the control and supervision of the Secretary of the Interior.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTINGTON. I yield myself 10 additional minutes in order to answer any questions that may be asked.

The Committee on Flood Control is not unaware of the fact that some friends of reclamation were disturbed about the Missouri River Basin project contained in the bill. All reasonable safeguards to show that it is the intent and purpose of the authorization to recognize existing rights are contained in the bill. In fact, the committee has leaned over backward in an effort to cooperate with the Bureau of Reclamation. With repeated floods, especially from Sioux City to St. Louis, there can be no question but what the dominant interest along the Missouri River Basin is flood control.

I repeat to emphasize that reservoirs along the main stem of the river above Sioux City will not provide for any waters except waters that empty into the main river from the tributaries, and I repeat also to emphasize that there is nothing in the bill to prevent the water on the tributaries from being utilized for the development of the arid lands before and after it reaches the main stem of the Missouri River. The people who suffer from devastating floods will be more than pleased if the waters are not only utilized but detained at their source.

The Kings River and Kern River projects in the bill were recommended by the Chief of Engineers. His reports were submitted as required by acts of Congress. The Bureau of Reclamation also investigated and reported on these rivers. The testimony discloses that the Bureau is anxious to be authorized to construct the works along these rivers. Fundamentally the Bureau of Reclamation is concerned with the development of public lands. Along Kings and Kern Rivers there is no public lands. There are no Federal reclamation projects. The people in these valleys have constructed and operated their own reclamation projects and they oppose the supervision of their projects by the Bureau of Reclamation or by any other Federal agency. I commend the people of the valley for providing for their own needs to cultivate their lands rather than coming to Congress to do for them what they can better do for themselves. The committee held repeated hearings. With one accord, the citizens of both valleys advocated the project as recommended by the Chief of Engineers in preference to the project as recommended by the Bureau of Reclamation. The committee felt that flood control was dominant and provision is made not only for flood control but for proper development of power that can be utilized in the area in which it is generated.

The proposed projects will in no wise interfere with the operation of the so-called Central Valley Authority. Any works along these valleys or in the Sacramento Valley supplement the proposed works in the Central Valley. The people are entitled to a voice in the Federal agency under which they work and live. The Committee on Flood Control followed not only the engineering recommendations of both the Chief of Engineers and the Bureau of Reclamation but gave consideration to the views of the citizens of these two splendid valleys who throughout the years have made

large expenditures to protect their lives and property from floods and have constructed their own irrigation and reclamation works without Federal contribution or supervision.

NO CONFLICT

The validity of the Central Valley Authority of the Bonneville Dam, of the Grand Coulee Dam, and of the Fort Peck Dam rests upon the commerce clause of the Constitution. All of these projects were finally authorized in river and harbor legislation. The Grand Coulee and the Central Valley Authority are being constructed by the Bureau of Reclamation, but they were authorized in river and harbor bills under the commerce clause of the Constitution.

There is no real conflict between navigation, flood control, and irrigation. The Supreme Court in the *Arizona case* (295 U. S. 174), held that Congress could authorize a dam across the Colorado River without regard to the jurisdiction of an adjoining State in respect of the appropriation, use, and distribution of its equitable share of water. While navigation is paramount, reclamation uses are important.

There is no occasion for the West to be apprehensive. I favor the utilization of waters within the States for domestic uses and for irrigation. I want to protect the citizens of other parts of the country in their riparian privileges and in the enjoyment of their riparian rights. All such rights whether in the West or elsewhere along the navigable rivers are subordinate to improvements in the discretion of Congress for flood control and navigation. The rights of the West are safeguarded in the bill. The Western States are protected in the continued utilization of the water resources under existing law. No existing law whether State or Federal is valid unless it is constitutional. Quibbling, misinterpreting, or misrepresenting with respect to existing legislation, whether State or Federal, can only hurt the cause or reclamation. Flood-control projects in the West have been constructed along the Sacramento River and other streams for years. No conflict with respect to the domestic use of water, or the use of water for irrigation has arisen.

ANALYSIS BY SECTIONS

There is a careful analysis of the bill by sections in the comprehensive report submitted by the committee. The membership of the House would do well to read the complete report. Each project is described and justified. No project is included unless the benefits exceed the costs under findings of the Chief of Engineers.

If a man is to produce in factories along the rivers and if man is to cultivate the fertile valleys, his life and property must be protected. Citizens cannot live in peace or contribute to the national welfare unless they are secure in life and property. Agriculture cannot succeed and industry cannot afford to venture where overflows occur periodically without security.

I should like to make a brief analysis of the bill at this point.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. The distinguished gentleman from Mississippi [Mr. WHITTINGTON] has made a very interesting statement on this very pressing and important subject. I think the gentleman stated that in the last 15 years we have made greater progress in flood control programs than we made in the last 150 years of our history. I believe that was the gentleman's statement.

Mr. WHITTINGTON. That is my view, yes; whether I be right or wrong.

Mr. ZIMMERMAN. I want to say to the Members of the House and to the country that the gentleman from Mississippi is too modest to tell us the part he has played in this remarkable program. The gentleman from Mississippi, the chairman of the Committee on Flood Control, has been responsible for this farsighted, comprehensive program that has saved our country millions of dollars from flood disasters. For 4 years I had the privilege of working with the distinguished chairman of this committee and have personal knowledge of his industry, clear thinking, and deep insight into the problems of flood control. I remember the time, Mr. Chairman, when he and a few others started to advocate the idea that the important thing to do in the control of floods was to build reservoirs and impound the waters at their sources. He was a leader and pioneer in that line of thought, and today we are beginning to see the beneficial effects of a workable, national, and comprehensive flood-control program. The country owes you, sir, a great debt of gratitude.

I desire also to commend the gentleman's committee not only for the hard work they have done on this bill but for the great program they have offered the country now and in the years to come.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from South Dakota.

Mr. CASE. I think that the Members of the House generally share the sentiments expressed by the gentleman from Missouri.

I would like to ask the gentleman a question with respect to the power that may be authorized under this bill. Some time ago the gentleman made a speech in which he said that flood-control bills did not authorize the installation of generators or generating equipment but that penstocks might be included in an authorization or in the construction of a project if recommended by the Federal Power Commission. Is there any change in that situation or is there any change proposed by this bill? In other words, will it require separate legislation before any power generators can be installed in any construction proposed to be authorized?

Mr. WHITTINGTON. The gentleman's question is very pertinent. The answer is, "No." Soundly, when a project, a reservoir, or a dam is built for flood

control, if it appears that there are possibilities for the development of power the flood control acts, beginning with 1938, have required that a penstock be installed if recommended by the Federal Power Commission and by the Chief of Engineers, but no provision is made for the installation of facilities for the generation of power, in the flood control bills.

I should like to say in this connection that with respect to the dam in southern Vermont mentioned by the distinguished gentleman from New York [Mr. FISH] that dam is authorized under existing legislation. It is my view that there is no provision for the development of a power dam there, that it would increase the price of the original authorization two or three times, until Congress authorized it. I will say that Congress has not authorized the dam for the development of power. As pointed out by the gentleman from Massachusetts [Mr. CLASON], this bill specifically states that at this point in Vermont the dam shall be only for flood control.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Chairman, I yield myself 5 additional minutes.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I join my colleagues in the tribute that has been paid to our distinguished chairman of the Committee on Flood Control on the work he has done and the interest he has taken in this legislation.

The program that has just been discussed has to do with post-war planning. A number of us in the Middle West are very deeply concerned with respect to the damage that has just come about by reason of the floods in the Middle West, especially. Will the chairman of the committee give us some idea as to what we may expect in the way of legislation to take care of that situation in the immediate future?

Mr. WHITTINGTON. That was the first statement I made when I began my remarks. I stated that the committee had requested the Chief of Engineers to look into this matter, and he has gone out personally and has instructed the district and division engineers to investigate, so that when we come before you, as we expect to, with a recommendation for an emergency appropriation to repair those damages caused by one of the major floods in the history of the country, we shall have something definite on which to base a recommendation to Congress. I trust that we shall be able to submit a recommendation in the next few days.

Mr. REES of Kansas. I thank the gentleman.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Nebraska.

Mr. CURTIS. I want to ask this question for the record. Referring to section 1 of the bill, which provides that the investigation shall be under the Sec-

retary of War and the Department of Agriculture, it is not the intention of the committee, is it, that this would prevent the Bureau of Reclamation from continuing the type of investigations they are now authorized to make under existing law?

Mr. WHITTINGTON. Not at all. On the contrary, the investigation as far as the Department of Agriculture is concerned is limited to such matters as watersheds and measures of run-offs. It is the language that has been employed in all previous flood-control bills, beginning in 1936.

Mr. BISHOP. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Illinois.

Mr. BISHOP. Do I correctly understand that the money that will be appropriated as the result of this bill will be for repair and not for any new projects which will have to do with the control of the waters in the future?

Mr. WHITTINGTON. This bill deals with new projects.

Mr. BISHOP. The old bill carried money for these repairs.

Mr. WHITTINGTON. There is no money at all here for emergency repairs. Last year Congress appropriated \$10,000,000, and that was exhausted. I stated that for the repair of works in Illinois, Missouri, and other States, made necessary by the recent floods, we had asked the chief of engineers to give us a report. We intend to submit a report, of course, to provide for any repairs to existing works that may be necessary. It will be something definite.

Mr. BISHOP. That will continue immediately if this bill goes through?

Mr. WHITTINGTON. Yes. This pending bill has to do with post-war construction.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kansas.

Mr. SCRIVNER. In connection with the statement the gentleman made to the gentleman from Kansas [Mr. REES] a few minutes ago about these emergency repairs, the gentleman stated that that bill might come up within the next few days. Is there any date on which the gentleman might fix that time, so that we might tell the people at home when this might be contemplated?

Mr. WHITTINGTON. The floods are still in progress. They are at that peak where nothing could be done presently. It is soggy and boggy out there. Before the committee makes a recommendation to Congress, we want to have the facts and figures on which to make the recommendation. They acted promptly a year ago. I think they will act as promptly as the circumstances permit.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Arizona.

Mr. MURDOCK. On page 25 and the following pages I see listed here a number of items. I know of one that ought to be listed here but is not so listed. What are the steps necessary to get a worthy project listed as these are?

Mr. WHITTINGTON. For investigation? If the gentleman will submit to the committee the name of the project, we will take it up with the Chief of Engineers. If it has not been investigated and the Chief of Engineers thinks it should be investigated, we will provide for it. That may be done in this bill or in a resolution adopted by the committee.

Mr. MURDOCK. This has already been investigated by the Army engineers and reported on.

Mr. WHITTINGTON. If the gentleman will give me the name of the project, I shall be glad to give him an answer.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Chairman, I yield myself 5 additional minutes.

I now want to make an analysis of the bill. If you have the bill before you, it might be helpful, if you follow me.

The first section of the bill reaffirms the existing law, as I stated to the gentleman from Nebraska. It inserts there "channel and major drainage improvements," because channel improvements are sometimes essential in flood control.

Section 2 of the bill is identical with existing law. It relates to the policy regarding the requirements of local contributions, and makes those requirements applicable to the projects authorized in this bill.

With respect to recreational facilities, in section 3, under the policy that has been adopted frequently at reservoirs, authorizing a small pool, it provides for recreation, for swimming, or for fishing. People may come there as they do at other lakes who would like to have reservations for recreation. Section 3 authorizes the Secretary of War to lease or sell for longer than 5 years the lands there if people want to build small cottages on any of the lands bordering these lakes or pools. The word "facility" means and should be construed to mean that if in the selling of those leases for the building of cottages it is necessary to put in a highway or road, that facility will be authorized.

Mr. MILLER of Missouri. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Missouri.

Mr. MILLER of Missouri. What is the gentleman's interpretation of the language in line 25, in section 3, which relates to other facilities thereat advantageous to the interests of the United States?

Mr. WHITTINGTON. I am glad the gentleman referred to this. The word "thereat" is important. As I stated a moment ago, it embraces the matter of constructing a local road to get around to those lands that may be sold to people for the purpose of building cottages or having a place there to fish in the pool. It has nothing on earth to do with reclamation or with power.

Section 4 provides that if there is a town or a city or a municipality that needs an additional water supply—and water is just as essential for human beings as it is for crops—the Chief of En-

gineers shall have the right to provide that that water shall be used there for the purpose of supplying the needs of man. It strikes me that that provision is a power that now obtains under the reclamation law. If it obtains under the reclamation law, I know of no good reason why it should not obtain in the existing bill.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Will the gentleman define the word "surplus" used in section 4 in referring to surplus water? In the West we have the doctrine of appropriation, for all water in a stream is appropriated. I anticipate a flood-control project where that water would be stored temporarily. It would not be surplus water. It is appropriated for irrigation purposes. The gentleman does not mean to interfere with any appropriated water?

Mr. WHITTINGTON. No. I would think that this had primary reference to reservoirs for flood control. My general judgment, in answer to the gentleman's question, is that practically all of that water is surplus, and that may be disposed of, if the reservoir is for flood control.

Mr. J. LEROY JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will be glad to yield to the gentleman from California.

Mr. J. LEROY JOHNSON. Will the gentleman please explain what is meant by the words in line 12, "any reservoir in control of the War Department." What I am aiming at is, does this mean all reservoirs built under this law will be managed or operated by the War Department?

Mr. WHITTINGTON. Except where otherwise provided. That is true except where otherwise provided. This language here means, all reservoirs authorized for flood control that I know anything about, primarily are under the control of the War Department.

Mr. J. LEROY JOHNSON. I am thinking of one reservoir we built, or rather, which the city I live in built. You are going to enlarge that dam and make the reservoir larger. Will the city management that pertains there now be supplanted by the War Department management?

Mr. WHITTINGTON. That is a fair question. Whenever the city, county, and State decides that they want Federal cooperation, as a general rule that city and that county or that State will sacrifice local supervision, because it is the universal policy for Uncle Sam to follow the dollar that he invests by giving his agents, the representatives of the entire people, supervision of the project.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, section 5 merely gives the Chief Engineer as the representative of the Government, supervision over reservoirs that the Government has built for flood control.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will be glad to yield.

Mr. KEFAUVER. I would like to ask the gentleman a question in connection with section 5, which gives the Chief of Engineers supervision over reservoirs. Of course, under the law, the Tennessee Valley Authority dams are operated for multiple purposes.

Mr. WHITTINGTON. Mr. Chairman, if the gentleman is going into that question I rather hate to ask for additional time and wish that the gentleman would reserve that question for a moment, if he will.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will yield in just a moment. I would ask the gentleman to reserve his question.

Section 5 gives supervision of operation for flood control and navigation to the Chief of Engineers.

Section 6 speaks for itself in an effort to lean over backward, and gives to the Secretary of the Interior power of handling reclamation and the disposal of reclamation waters provided by the projects authorized in this bill.

Section 7 authorizes the adoption of projects named in the bill, extending from the Connecticut Valley in New England to Los Angeles and from Portland to Florida in practically every river basin in the United States. The next section of the bill authorizes preliminary examination and surveys on streams that have not been reported.

Then this bill authorizes soil-conservation projects that have been reported to the committee by the Department of Agriculture, and authorizes the reappropriation of the balance of \$10,000,000 that has been used in this work, and makes provision for temporary repairs.

Mr. Chairman, I want to yield to the gentleman from Tennessee, and I want to yield to the gentleman from Vermont, but I hesitate to ask for additional time. But may I ask the gentleman from Tennessee [Mr. KEFAUVER] what is his question?

Mr. KEFAUVER. It seems to me these dams on the Tennessee River under the Tennessee Valley Authority should be excluded from the supervision of the Secretary of War.

Mr. WHITTINGTON. They may be and they may not be, but personally I think if the Tennessee Valley Authority was authorized and sustained by the Supreme Court, primarily for the development and improvement of navigation and flood control, that the Chief of Engineers, the representative of the Government, should have something to do with its utilization to provide for flood control. I will come to that later and discuss it under the 5-minute rule, if necessary.

I now yield to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Will the gentleman define what is meant by the words "construction of a high dam" on page 5, line 19?

Mr. WHITTINGTON. I am glad to do that if the gentleman desires.

My construction of that is it does not provide for construction of a power dam in Vermont at Williamsville, but only for a flood-control dam as contemplated by the act of 1938.

Mr. PLUMLEY. Am I to understand that no penstock will be installed?

Mr. WHITTINGTON. That would depend upon the views of the Chief of Engineers and the Federal Power Commission, but it does not provide for the generation of power.

Under leave to extend my remarks, I should like to say that the two principal authorizations in the bill under consideration are for the Missouri River Basin and for the lower Mississippi River. There are authorizations of \$200,000,000 in each. The authorizations are fully explained in the report of the committee. I now return to the analysis of the bill by sections:

SECTION 1. POLICY

Section 1 is similar to existing law, and clarifies the language contained in the Flood Control Acts of 1936 and subsequent acts to show clearly that flood control shall be construed to include channel and major drainage improvements. It reaffirms the declaration of policy respecting flood control and provides for investigation, planning, and prosecution by the Corps of Engineers of the United States Army of flood control and allied works, and investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention by the Department of Agriculture.

SECTION 2. LOCAL COOPERATION

Section 2 is identical with existing law. It restates the policy regarding requirements of local cooperation.

SECTION 3. RECREATIONAL FACILITIES

To date the Corps of Engineers has placed in operation some 42 dam and reservoir projects widely dispersed throughout the United States. A large number of these reservoirs present opportunities for recreational development of widespread interest and benefit at very little cost. At the present time there is no authority to expend the small amounts of funds needed to make the recreation and conservation values at these reservoirs fully available. This committee is of the opinion that where practicable, without reducing flood-control benefits, projects should be fully utilized to provide recreational facilities for the benefit of the general public.

Section 3 authorizes the Chief of Engineers to construct, maintain, and operate recreation and conservation facilities such as roads or to permit the construction, maintenance, or operation of such facilities, and it would authorize the Secretary of War to grant leases of lands, structures, or facilities in the reservoir areas for such periods and upon such terms as he may deem reasonable. Existing law, applicable to flood-control works, limits the period of the lease of physical property to a maximum of 5 years. The committee feels that such a limitation on the length of leases for the development of recreational areas at flood-control reservoirs would not be in the public interest and recommends the

removal of this restriction with respect to leases of Federal property at reservoirs for recreational facilities. This section also provides that all moneys received for such leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

SECTION 4. SALE OF STORED WATER

Recently in the development of plans for reservoirs, there have been several requests for the purchase of water for municipal and industrial purposes. Under existing law, the War Department is authorized to modify plans for any reservoir authorized by Congress to provide additional storage capacity for domestic water supply or other conservation storage, provided that the cost of such increased storage is contributed by local agencies. In several cases small communities have experienced difficulty in providing the large lump-sum contributions prior to construction required by existing law, and have expressed a desire to purchase stored water at a unit price per million gallons. In several other cases requests have been received for the purchase of stored water after a dam and reservoir project has been completed. The committee, believing that full beneficial use should be made of all Federal projects, is of the opinion that the Secretary of War should be authorized to sell to States, municipalities, private concerns, or individuals at such prices and on such terms as he may deem reasonable, surplus water that may be available at any reservoir under the control of the War Department.

Suitable language has been written into the bill to accomplish this purpose; all moneys received from such sales to be deposited in the Treasury of the United States as miscellaneous receipts.

OPERATION OF MULTIPLE-PURPOSE RESERVOIRS—

SECTION 5. RESPONSIBILITIES FOR OPERATION OF FLOOD CONTROL AND NAVIGATION STORAGE

The committee believes that recent experiences in the operation of multiple-purpose reservoirs during major floods has demonstrated that to assure the expected flood-control benefits reservoirs constructed wholly or in part with Federal funds provided on the basis of flood-control benefits should have their flood-control features operated under the supervision of the Chief of Engineers in accordance with regulations prescribed by the Secretary of War.

The bill, therefore, provides that it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the basis of such purposes and requires that the operation of any such project shall be in accordance with such regulations.

SECTION 6. RESPONSIBILITY FOR OPERATION OF IRRIGATION STORAGE

The construction of multiple-purpose reservoirs is in the public interest. Sound public policy requires not only that flood-control storage be under the supervision of the Secretary of War and the Chief of Engineers but also that storage for the reclamation of arid lands be

under the supervision of the Secretary of the Interior.

The committee recognizes that good administration demands that projects be built by the agency having the dominant interest with suitable provisions for safeguarding the interests of other agencies. Accordingly the bill provides that whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purposes, and the operation of any such project shall be in accordance with such regulation. Such amounts as the Secretary of the Interior may deem reasonable shall be charged for the use of such stored water; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts.

SECTION 7. AUTHORIZATION

Section 7 adopts and authorizes the improvements, as set forth in the bill, for post-war construction with provisions for the preparation of necessary plans, specifications, and preliminary work during the war.

I refer again to the report of the committee which describes in detail all of the projects authorized and the supporting reasons. These projects include all parts of our common country.

SECTION 8. PRELIMINARY EXAMINATIONS AND SURVEYS

Section 8 of the bill authorizes and directs the Secretary of War to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements and protection from floods aggravated by or due to tidal effect, at the localities designated in said section; and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil erosion prevention on the watersheds of these same localities.

This section is similar to examination and survey sections contained in the Flood Control Acts of 1936 and subsequent acts and it clarifies the language contained in those acts to show definitely that the words "flood control" shall be construed to include channel and major drainage improvements. In accordance with its usual policy, the Flood Control Committee has included in this section the streams and areas in all bills for examinations and surveys which have been introduced since the last general flood-control act.

SECTION 9. AUTHORIZATION IN THE BILL

The general flood-control legislation enacted between 1936 and 1941, inclusive, has provided authorizations totaling \$965,000,000 for the construction of 460 reservoirs and local flood-protection projects. Of these, 185 projects have been substantially completed and 46 more projects were in various stages of construction when suspended in order to conserve materials, equipment, and manpower for the war effort. Details of the present status of the authorized flood-control program are contained in the

tabulations on pages 50 and 51 of the report.

The committee wishes to emphasize that this is a post-war bill to assist in attaining two very worthy post-war objectives, to wit: Orderly adjustment from war to peace and protection of lives and property from the ravages of floods. This bill proposes to approve 112 worthy flood-control projects recommended by the Chief of Engineers and to increase the authorizations for flood-control construction in the amount of \$810,000,000. This authorization added to the amounts remaining available from prior legislation will provide a large working balance for numerous projects well distributed across the Nation and diversified as to type between large dams, concrete flood walls, channel improvements, earth levees, and combinations of these types. The greatest concentration of work is in the populous areas where hazards are most serious and where post-war adjustment will be most severe.

The progress of carrying out these authorizations will be determined by Congress through control of the amounts appropriated for flood-control work. The committee has been assured by the Chief of Engineers that the Corps of Engineers is ready and able to embark on a very large program of flood-control construction subject only to the availability of authorization and appropriations. At the rate of appropriations before the war emergency this bill will provide for about 6 years of construction. If post-war appropriations are larger, there will be consequent speeding up of work. The committee believes that enactment of this bill is an essential element in preparation for a large public-works program of worthy and carefully conceived projects and it strongly recommends speedy action on the bill.

SECTION 10. PROJECTS RECOMMENDED BY THE SECRETARY OF AGRICULTURE

Section 10 authorizes the prosecution of measures for run-off and water-flow retardation and soil-erosion prevention by the Department of Agriculture on eight watersheds on which that Department has made surveys pursuant to the acts of 1936 and 1938 and for which projects have been reported favorably by the Secretary of Agriculture. These projects, as provided by law, have been reviewed by and correlated with the plans of the Corps of Engineers.

The works of improvement included in these eight projects will afford substantial reductions in the damages suffered from the frequent small and medium-sized floods that occur on headwater tributary streams generally upstream from works planned by the Corps of Engineers. They will also reduce greatly the quantity of erosion debris deposited in stream channels and reservoirs and upon flood plains. In addition, important benefits will accrue to the owners and operators of lands, upon which the measures will be applied, in the form of increased yields of crops and forest products, and increased productivity of pasture due to reduction in erosion and improvement in density and quality of vegetative cover.

The works proposed on these eight projects will provide a valuable complement to structures on waterways that have been or are likely to be built by the Corps of Engineers.

SECTION 11. REAUTHORIZING APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE

Section 11 reauthorizes the balance of the appropriation of \$10,000,000, previously authorized in the act of June 28, 1938, for expenditure by the Department of Agriculture for the improvement of watersheds during the post-war period.

SECTION 12. EMERGENCY WORK BY THE DEPARTMENT OF AGRICULTURE

Section 12 of this bill amends section 7 of the act of June 28, 1938. This amendment would permit the Secretary of Agriculture to undertake emergency measures on denuded watersheds to prevent hazards due to flash floods and destructive erosion that follow the loss of protective cover by forest fires or other catastrophes, especially in areas of steep slopes and erodible soils. Such emergency measures would be authorized without, in every case, having to wait for specific authorization to the Corps of Engineers for engineering structures on the waterways concerned. A limitation of \$100,000 a year is imposed.

(By unanimous consent, Mr. WHITTINGTON received permission to revise and extend his remarks.)

Mr. CLASON. Mr. Chairman, I yield myself 15 minutes, and I also ask unanimous consent to revise and extend my remarks and include a table in Document 724.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CLASON. Mr. Chairman, the House Committee on Flood Control has had under consideration for several months the preparation of an omnibus flood-control bill to be presented at this session. Hearings commenced on February 1 after the groundwork for proper consideration of various projects had been laid. The hearings have proceeded from day to day until all of the projects upon which the Corps of Engineers have made reports to Congress have been considered.

I wish to pay personal tribute at this time to the gentleman from Mississippi, Hon. WILL M. WHITTINGTON, chairman of the Flood Control Committee. During all the 8 years that I have served in Congress, I have been a member of this committee. The gentleman from Mississippi, Congressman WHITTINGTON, has been the chairman during the entire period. From my own observation and experience, I would range the gentleman from Mississippi, Congressman WHITTINGTON, as outstanding among all chairmen of committees. He has a thorough knowledge of flood-control conditions and projects throughout the Nation. He has a particularly happy way of handling witnesses so that each one knows that he is receiving the close personal attention of the committee. At the same time the hearings proceed in a very orderly manner and with dispatch. Furthermore, the gentleman from Mississippi, Congressman WHITTINGTON, has

gained the complete confidence of all members of the committee, who appreciate his many personal kindnesses to each of them, while at the same time granting to every Member of Congress the same consideration given to a member of the committee. I am sure that all members of the committee will be in full accord with me in my statement that our chairman is held not only in the highest regard by them as a congressional leader, but is also looked upon as a close personal friend by every member of the committee.

This bill provides for the construction of important flood-control projects in every section of the United States in the post-war period. They will provide work for many thousands of men and women during a period of 5 years. It therefore is of great importance not only in furnishing permanent public works for flood protection greatly needed throughout the country but also in providing a backlog of worth-while jobs during the difficult period of transition from war to peace.

The bill calls for the expenditure of more than \$800,000,000. Each of the many projects contained in it has been recommended by the Army engineers. In each case the annual benefits accruing to the people of the United States will exceed the annual costs. The completion of these projects will be of untold benefit to the Nation in preventing recurring annual losses of lives and property. It is interesting to consider the advantages to be derived in each river basin. Since other Congressmen plan to speak about projects in their sections of the country, I will confine my remarks to New England. The gentleman from Mississippi, Chairman WHITTINGTON, has given us such a fine general statement of our national flood-control needs that little more can be added on the over-all program. In the Connecticut River Basin, in which I live, we have had 3 recent major floods in 1927, 1936, and 1938. These 3 tremendous floods caused direct losses of \$75,622,000, and indirect losses of \$68,712,000—a grand total loss of \$144,334,000. In addition, 28 lives have been lost. Other lesser floods have added millions of dollars to the losses incurred in the basin during the past 25 years. Vermont, New Hampshire, Massachusetts, and Connecticut have suffered heavily from the ravages of the Connecticut River. Today it is one of the few basins of comparable size in the United States to be without adequate flood protection.

Following the great flood of 1927 the United States engineers were authorized by Congress to determine the best methods for solving the flood problems created by the Connecticut River. They studied the values of some 275 sites for reservoirs. They submitted their conclusions and a comprehensive flood-control plan, which was authorized in the Flood Control Act of 1938. It provided for a system of 20 flood-control reservoirs with local protective works at 7 localities along the Connecticut River. The reservoirs will control 2,752 square miles, almost 25 percent of the drainage area of the river.

The average annual flood-control benefits of the system are estimated to be \$3,874,000, and the average annual flood control costs \$2,898,400. In other words, the comprehensive plan when fully carried out will save the residents of the valley about \$1,000,000 a year in money and much more in sorrow and actual suffering. This system of reservoirs will decrease the stage of the maximum flood of record at Hartford about 6 feet and about 5½ feet at Springfield. The 1938 Flood Control Act contains a provision that the entire cost of the reservoirs in this program will be borne by the Federal Government and that the localities benefited must share in the cost of the local protective works.

Five of the flood-control reservoirs are planned for Massachusetts, 5 for New Hampshire, and 10 for Vermont. To date, 3 of the 20 have been constructed: Surry Mountain Dam on the Ashuelot River north of Keene, N. H.; Birch Hill Dam on the Millers River near South Royalston, Mass.; and Knightsville Dam in the town of Huntington on the Westfield River in western Massachusetts. Dikes and flood walls with attendant

drainage and pumping facilities have been or will be constructed at 7 localities.

Local protective works have been constructed at Northampton, Holyoke, Chicopee, Springfield, and West Springfield in Massachusetts, and at Hartford and East Hartford in Connecticut. Under the act of 1938 the total cost to the United States of the 20 reservoirs and the 7 local protective works was estimated at \$46,359,000, consisting of \$34,835,000 for the reservoirs and \$11,524,000 for the protective works. Later modifications in the original plans increased the cost of the reservoirs to \$57,460,000 and of the protective works to \$17,000,000. These modifications were authorized by the act of 1941. Additional local protective works at Holyoke, Springfield, West Springfield, and Winsted, Conn., have been authorized at a cost to the United States of \$1,070,000 out of a total cost of \$1,185,000.

General features and estimates of cost of the approved plan for reservoirs with modifications now considered desirable are as follows:

Reference No.	Reservoir	Stream	Drainage area (square miles)	Capacity (acre-feet)	Costs		
					Flood control	Adaptations for power	Total flood control plus adaptations
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Knightville	Westfield	164	39,300	\$2,318,000	\$433,000	\$2,751,000
2	West Brookfield	Chicopee (Quaboag)	106	33,900	2,317,000	-----	2,317,000
3	Barre Falls	Chicopee (Ware)	57	24,300	965,000	-----	965,000
4	Tully	Millers (Tully)	50	22,150	665,000	94,000	759,000
5	Birch Hill	Millers	175	49,900	3,005,000	-----	3,005,000
6	Honey Hill	Ashuelot (South Branch)	70	26,200	1,935,000	-----	1,935,000
7	Surry Mountain	Ashuelot	100	32,500	1,620,000	-----	1,620,000
8	Claremont	Sugar	245	78,400	5,160,000	-----	5,160,000
9	West Canaan	Mascoma	80	34,100	2,240,000	280,000	2,520,000
10	Sugar Hill	Ammonoosuc	246	91,600	6,530,000	-----	6,530,000
11	Williamsville	West	400	150,000	5,960,000	320,000	6,280,000
12	Cambridgeport	Saxtons	58	21,600	1,975,000	-----	1,975,000
13	Brockway	Williams	101	32,300	2,944,000	-----	2,944,000
14	North Springfield	Black	102	33,400	2,018,000	-----	2,018,000
15	Ludlow	do	56	23,900	1,741,000	459,000	2,200,000
16	North Hartland	Ottawaquebec	222	71,100	3,630,000	-----	3,630,000
17	South Tunbridge	White (First Branch)	102	32,600	2,275,000	-----	2,275,000
18	Gaysville	White	226	84,300	4,080,000	705,000	4,785,000
19	Union Village	Ompompanoosuc	126	30,200	1,944,000	432,000	2,376,000
20	Victory	Passumpsic (Moose)	66	28,200	1,023,000	392,000	1,415,000
	Total		2,752	939,950	54,345,000	3,115,000	57,460,000

¹ Exclusive of drainage area above Ludlow.

The total cost of the program to the United States, as now estimated, will be \$57,460,000 for reservoirs and \$18,070,000 for local protective works, or a total of \$75,530,000. It is probable that the final cost will be somewhat in excess of that amount. If this bill becomes law, there will have been authorized for appropriation to carry out most of the program approximately \$70,000,000.

One of the reservoirs in the system will be located on West River near Williamsville, Vt. The Federal Power Commission has recommended that it be constructed to provide for both flood control and power development. The committee was advised that such a reservoir with power generating facilities would cost about \$29,100,000. If developed for flood-control purposes only it is estimated to cost \$6,280,000. For flood-control purposes only a low dam would be built, while a high dam, with an increase

of 82 feet in height, would be necessary for both flood control and power development. Witnesses from Vermont opposed the construction of a dam at this site which would include power development while asserting that the people of Vermont would not oppose the construction of flood-control reservoirs without power facilities within that State. The committee decided that it would be best to construct the reservoirs without power development in accordance with the above table of reservoirs as set forth in Document No. 724 of the Seventy-sixth Congress, third session. The bill, H. R. 4485, therefore contains the explicit provisions that neither this authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site. The objection of the people of Vermont has been fully taken care of by this proviso.

In other words, the committee has taken any authorization for appropriation for power at the Williamsville site out of the bill. In order to have power it would cost \$29,100,000. We have so worded the bill that it will only result in the expenditure of \$6,280,000 at the site, for flood-control purposes only.

Further than that, as far as the dam on the West River is concerned, that is the most important tributary of the Connecticut River. It drains an area 60 percent greater than any other tributary. Engineers tell us it is the most important site for a dam in the entire system for the Connecticut River. I feel that the people of all four States will believe that the committee has acted wisely and fairly in asking for an authorization for flood-control purposes only, for this dam to be built on the West River, and that the Congress has acted fairly in meeting the wishes of the people of Vermont in not authorizing the expenditure of any money for power in these Vermont dams.

It is well to note that if this flood-control program had been carried out 25 years ago it would have effected savings of more than twice its estimated cost during that period. Already real savings have been effected by the construction of the 3 reservoirs now in operation and the 7 local protective works. The authorization in this bill, together with sums already authorized to be appropriated in existing laws, will complete all authorized local protective works and 16 additional reservoirs. Only 1 reservoir in New Hampshire will require additional authorization for funds in the future. An adequate, comprehensive flood-control system for the Connecticut River Basin will have been provided by the Federal Government. Protection greatly needed for the very important agricultural and industrial communities of 4 States will have been secured throughout the length of the valley of the Connecticut River, the great river of New England. As one who was a member of the Flood Control Committee of the House when this splendid program of the United States engineers was considered and reported favorably, it has been particularly gratifying to me to see successive Congresses enact into laws the legislation necessary to bring the system to completion. It will bring results beneficial to the entire Nation.

I believe this bill, H. R. 4485, contains many projects of incalculable benefit to the American people. I urge its passage.

As it stands today, our flood-control bills of 1938 and 1941 have resulted in a change in the position of Congress, the Federal Government, on the question of how to handle expenditures for flood control purposes in reservoirs and local protective works. Before 1938 the States, where a river went through more than one State, used to combine in compacts and try to arrange between themselves some sort of a program for building reservoirs which would be adequate. I doubt if in any single river basin in the United States any such compact was ever agreed upon and finally constructed.

You who were here in 1938 will recall that we had a considerable struggle

over the Connecticut River compact. I led the fight, as far as I could, for the adoption of the Connecticut River compact, which had been entered into by New Hampshire, Vermont, Massachusetts, and Connecticut. You will recall that a considerable majority of the Congress decided that they did not feel that was the way to handle such situations, and they passed a bill in 1938 which provided that thereafter the Federal Government shall pay 100 percent of the cost of flood-control reservoirs which are built on any navigable rivers. I think if we are going to change our position at this time it should be done in connection with some other bill.

This bill today does not provide for the adoption of any comprehensive program or any program for construction in the Connecticut River Basin. Everything to be built there, local protective works and all reservoirs, is already authorized for construction under the act of 1938, as modified by the act of 1941. Therefore, any change in connection with the program today with reference to construction of any particular dam would be a change back to what was in existence prior to 1938. I do not believe that is the intent of Congress.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. DONDERO. I notice on the bottom of page 2, and at the top of page 3 of the bill, language very similar to the language which was contained in the recent river and harbor bill, which the House struck out. It is a wide delegation of power to the Secretary of War and the Chief of Engineers "To construct, operate, and maintain recreational facilities and other facilities."

Does the gentleman believe that Congress should go on record and grant that wide delegation of power?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CLASON. Mr. Chairman, I yield myself 6 additional minutes.

Mr. Chairman, answering the gentleman from Michigan, I may say that the gentleman from Mississippi [Mr. WHITTINGTON] covered that quite thoroughly in his address both at the very start and later in answer to questions that were directed to him. The words "other facilities" do not apply to power or anything of that sort; they apply merely as to roads and other accessories. They do not apply and have not applied in the past to the construction of facilities like power conservation or reclamation, and they have no meaning like that in this bill.

Mr. DONDERO. The reason for asking the question is that the people of the United States feel that Congress should take back to itself some of its prerogatives. They feel that the Congress should legislate rather than delegate powers, and I feel that we may convey an impression to the country that we are delegating more power.

Mr. CLASON. That was not the intention of the committee at the time of the adoption of that provision.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. PLUMLEY. I do not wish to project myself too much into this situation, but the gentleman's reference to what the attorney general of the State of Vermont said leads me to inquire what constitutes a high dam.

Mr. CLASON. I believe that is testified to on page 723 of the hearings where General Robins was testifying and the Chairman, the gentleman from Mississippi [Mr. WHITTINGTON] was doing the interrogating. From the hearings I quote the following:

The CHAIRMAN. Is this figure of \$27,000,000 or \$28,000,000 one that includes the estimated cost of that dam when and if it were raised and constructed now for power, as well as an installation of something like \$6,000,000 or \$8,000,000 for power facilities?

General ROBINS. That \$29,000,000 includes raising the dam about 82 feet, building a powerhouse, and installing all power machinery.

The CHAIRMAN. In this area where the dam is located—what is the type of country, the terrain there with respect to being arable?

Colonel GOETHALS. Taking the high dam, the classification of lands in the flooded area is 76 percent wooded land, 14 percent agriculture, 6 percent pasture, 2 percent urban, and 2 percent swamps.

The CHAIRMAN. And the entire acreage required for that reservoir would be how much?

Colonel GOETHALS. For the high dam, 5,430 acres, and for the low dam, 2,460 acres.

The CHAIRMAN. For the \$19,000,000 dam, 2,460 acres. Is that true or not?

The high dam mentioned there, and as Colonel Goethals explained it, is the power dam of 82 additional feet. The low dam is used for flood control. The wording of the amendment as it was put in the bill was prepared by the Army engineers to make certain that this dam would be used for flood control and not for power.

Mr. PLUMLEY. But does not the gentleman know just as well as I do that comprehensively you have delegated the power and the authority to the Army engineers to determine what shall constitute a high dam or a low dam irrespective of what they may say to the gentleman's committee in those minutes to which the gentleman refers? I call the gentleman's attention to page 705 of the hearings.

Mr. CLASON. I am afraid the gentleman overlooks Document 724, adopted in 1938, as modified in 1941. It expressly states, and it was adopted by the Congress, what kind of a dam shall be constructed at Williamsville on the West River:

Drainage area, 400 square miles; capacity, 150,000 acre-feet; flood-control cost, \$5,960,000, plus adaptations for power, \$320,000, meaning the pen stock; a total of \$6,280,000.

That is the program which Congress has adopted, and it does not include the high dam to which the gentleman has been referring.

Mr. PLUMLEY. Nevertheless, I want to put this in the RECORD. The gentleman's recollection of what the Army engineers asked for is not my recollection. My recollection is that the act to which the gentleman referred author-

ized the Chief of Engineers to make any modifications that might be found to be justifiable in his discretion.

Mr. CLASON. But he would have to do it within the \$6,280,000, because that would be all the money available.

Mr. PLUMLEY. But all he would have to do would be to come back to Congress and ask for more money.

Mr. CLASON. That would require a change in the law which certainly is not contained in this bill.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. CLASON. Mr. Chairman, I yield 15 minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Chairman, it has been my privilege to serve on the Flood Control Committee continuously since I first came to Congress in January 1939. I have attended practically all of the hearings conducted by that committee throughout these years. I consider it both a privilege and an opportunity to work with the very able, efficient, and fair chairman, the gentleman from Mississippi, the Honorable WILL M. WHITTINGTON. I have a high regard and esteem for the Army engineers with whom we have worked. I consider them public servants of the first order.

This omnibus flood-control bill is the first flood-control bill that we have had before the House of Representatives since the act of 1941. Due to the necessities of war, all flood-control construction has been suspended with the exception of a minimum amount of temporary and emergency work. This bill contains the authorization for many flood-control projects throughout the United States. Every project contained in this bill has the approval of the district engineer, the division engineer, the Board of Review of Rivers and Harbors, and the Chief of Engineers.

This bill is a compromise. It must be so. Any legislation, national in scope, usually is the result of compromise. Flood control plans and their allied plans, including irrigation, power development, and other features bring forth complicating interests, community and sectional interests, differences between industries, differences of individual opinion, both of the layman and the expert, and sometimes departmental differences and jealousies. If we waited to iron out all of these things before we advanced the bill in the Congress of the United States for needed public works on our rivers, there just never would be any legislation and, consequently, no construction at all. The committee has done that which they thought wisest and best in the handling of not one difficult problem, but many difficult problems, in every section of the United States.

It is true that the works authorized in this bill are for the post-war period. I want to make my position clear, however, in regard to that. I am not supporting any of these projects because they will produce employment in the post-war days. The works programs of the thirties were a failure so far as bringing about reemployment. We exhausted

both the alphabet and the Federal Treasury with works programs, but we ended up with more people hunting a real job than we started with. We ended up with local, State, and National Governments spending more for relief than they did when the works programs were started. There were some very fine public works constructed during these works programs, including some fine irrigation projects, but a works program for the sake of working in a hope that it will relieve unemployment is a proven failure. I am supporting this bill, because it represents needed public works. It will bring flood relief to distressed areas and save valuable land and other property. It will save human lives. It will provide additional irrigation, which will add to the productiveness of our country.

I come from a part of the United States where water means life. Adequate water for the crops is the difference between prosperity and poverty. Because I believe that these projects are in the public good and are worth while in themselves, I support this bill.

The bill has a number of important features. This bill lays down the principle that all reservoirs constructed with Federal funds, which have storage space available for flood control, shall be operated under the regulations of the War Department. This is common sense. It is absolutely necessary if we are going to protect the property and the life of the people in the flooded areas. There must be a central agency operating the reservoirs. Likewise, this bill provides that whenever any reservoir is being operated by the War Department, it is found that there is available water for irrigating farm lands, that the Bureau of Reclamation, through the Secretary of the Interior, shall prescribe the rules and regulations for the operation of that part of the storage that is available for irrigation. In other words, it gives the Bureau of Reclamation jurisdiction over the irrigation features of the reservoirs and the distribution systems. I think this is sound and advisable. I am told by individuals in the Bureau of Reclamation that it is a definite gain for them and a step forward.

I want to direct my remarks now in reference to the Missouri River Basin. The bill before us has in it the first substantial authorization for that area. The Missouri River Basin represents one-sixth of the area of the United States. In that area you will find a great deal of the finest and best agricultural land in the world. The Missouri River Basin includes a great portion of Missouri, Iowa, Kansas, North and South Dakota, Montana, Wyoming, and Colorado, and all of the State of Nebraska. The State of Nebraska is the only State lying entirely within the basin of the Missouri River. This area is a great breadbasket for the entire world. In the basin can be found great industrial and manufacturing cities. It is indeed the great heart of America.

Although the Missouri Valley has always been subject to severe floods—very little flood-control work has ever been authorized for that great territory. Compared to the flood-control program

in other parts of the United States, the Missouri River Basin has been exceedingly neglected. In the years gone by there have been a few flood-control works constructed at various local points, but with the exception of the local protection constructed at the Kansas Cities, the other works have been small and of minor nature.

In the Flood Control Act of 1938 there was an authorization for an appropriation of \$9,000,000 for a basin-wide flood-control program. This authorization has been used on the Kanapolis reservoir in the State of Kansas. Three years later, in 1941, there was an additional authorization of \$7,000,000, which was earmarked for the initial construction of the Harlan County Reservoir on the Republican River in the State of Nebraska. The Republican Valley had suffered a loss, running into millions and millions of dollars in property damage and in destruction to farm lands. From the standpoint of the loss of human life by reason of flood, the Republican River has suffered greater than most any other river in the United States. I will have more to say about the details of the flood problem on the Republican River a little later in my remarks.

The main stem of the Missouri River suffers from annual floods, sometimes more than one flood per year. Exceedingly valuable farm land is annually flooded. The destruction in the cities along the river has been considerable. It has tied up transportation systems and created havoc in that territory. In the spring of 1943, a disastrous flood occurred. Following that flood, the Congress of the United States appropriated \$10,000,000 for temporary emergency flood-control work, \$3,000,000 of which was set aside for the Missouri River. The division engineer at Omaha, Lewis A. Pick, then a colonel but now a brigadier general, appeared before our committee and outlined the problem in this great Missouri River Basin. It was evident that a satisfactory solution to the flood problem would have to include bank protection in the way of levees and dikes on the main stream and in addition thereto a series of reservoirs and dams on the tributaries to hold this great flow of water at flood time.

Following the flood-control hearings of 1943, as a member of the Committee on Flood Control, I introduced a resolution for myself and a number of the interested Congressmen from the valley, asking that a further report be made by the Army engineers with respect to flood control along the main stem of the Missouri River. That resolution was as follows:

RESOLUTION BY REPRESENTATIVE CARL T. CURTIS,
OF NEBRASKA

(Introduced May 6, 1943)

Resolved by the Committee on Flood Control, House of Representatives, That the Board of Engineers for Rivers and Harbors created under section 3 of the River and Harbor Act approved June 13, 1902, be, and is hereby requested to review the reports on the Missouri River contained in House Document No. 238, Seventy-third Congress, second session, and House Document No. 821, Seventy-sixth Congress, third session, with a view to determining whether any modifica-

tion should be made therein at this time with respect to flood control along the main stem of the Missouri River from Sioux City, Iowa, to its mouth.

The foregoing resolution was duly approved by the Committee on Flood Control, and, pursuant to said resolution, the Secretary of War transmitted the flood-control plan, known as the Pick plan, embodied in House Document 475, to the Congress of the United States on February 28, 1944. The bill before us approves the plan set forth in House Document 475 and authorizes an appropriation of \$200,000,000 for the partial accomplishment thereof.

Along the Missouri River, between Sioux City, Iowa, and Rulo, Nebr., there are about 926,000 acres of land in the valley of the Missouri River, which would be protected from flooding after construction of the plan proposed in House Document 475, Seventy-eighth Congress, second session. The proposed work consists of levees supplemented by reservoirs above Sioux City, Iowa. At present there are numerous local levees which have been constructed by local interests to provide some measure of protection from floods for a part of the area. These levees have not been planned with an over-all view of the flood-protection problem, and are inadequate to provide protection except from minor floods.

During the flood of April 1943, nearly all of the existing levees along the Missouri River failed and 200,000 acres of agricultural land protected by these levees were flooded. Following this flood the engineering department, in the reach between Sioux City, Iowa, and Rulo, Nebr., repaired about 75 levees and assisted in the repair of many more levees, at a cost of nearly \$600,000. However, during the flood which occurred this April 1944, about 35 levees again failed. It appears futile to continue to spend large sums of money for the replacement of these levees, which are inadequate to provide protection to this valuable agricultural land.

In the reach between Sioux City, Iowa, and Rulo, Nebr., the proposed levees would have a total length of about 300 miles. They would consist of earth fill with a 10-foot top width, riverside sloped 1 on 3, landside sloped 1 on 5, and would average about 12 feet in height. These levees would not in themselves provide complete protection and it is impracticable to construct higher levees because the cost of necessary features to prevent sand boils, which would endanger the safety of the levees, would be excessive. However, if reservoirs are constructed upstream from Sioux City, with appropriate reservation for flood-control storage, and are properly operated, floods can be reduced to the magnitude which can be safely passed by the proposed levees. Seven such reservoirs are proposed for construction above Sioux City.

The levees would be constructed in units, each unit made independent of other units by tying it back to the bluff or high ground adjacent to tributary streams. Many miles of railroads and highways and numerous small municipalities, as well as thousands of acres of agricultural land, would therefore receive

full flood protection by the construction and operation of the proposed plan. In addition, the larger industrial cities of Sioux City and Council Bluffs, Iowa, and Omaha, Nebr., would receive full flood protection by the strengthening and raising of flood-protection works at those localities.

This Pick plan for the Missouri River Basin is primarily a flood-control plan. It does provide, however, for multiple-purpose reservoirs on the tributaries and in the upper portions of the river. These multiple-purpose reservoirs will be so constructed as to provide for the maximum amount of storage of water for irrigation. A great portion of the Missouri River Basin is semiarid in nature and the expansion of irrigation is absolutely essential to the future prosperity of that great region.

Much has been said, and some of it of a controversial nature, in reference to navigation. Authorization for navigation work with the exception of the lower Mississippi does not come within the jurisdiction of this Committee on Flood Control. That is handled by the Committee on Rivers and Harbors and the item calling for a 9-foot channel on the Missouri River is a part of the bill reported out by that other committee. It has passed the House and is now before the Senate. The approval of the Pick plan does not add or detract from the navigation issue.

At this point I want to quote from the hearings before our committee the testimony of Col. Miles A. Reber, former division engineer at Omaha. His testimony is as follows:

Mr. CURTIS. Colonel Reber, as you understand, another committee has jurisdiction of the authorization of navigation works.

Colonel REBER. Yes, sir.

Mr. CURTIS. I would like to ask this question: Would these recommendations (the Pick plan) be approximately the same if they proceeded to make a 9-foot channel, or leave it a 6-foot channel; that is, the recommendation in the report that is on its way to this committee?

Colonel REBER. As I understand the recommendations and the report which is to come to this committee, Mr. CURTIS, they are for the general over-all development of the entire Missouri Basin, including flood control, reclamation, navigation, and power, but with special reference to flood control from Sioux City to the mouth.

In response to the resolution of this committee, I believe that the recommendations which are contained in this report would remain substantially the same, because the question presented to the Corps of Engineers by that resolution was to solve the flood-control problem. As I shall later show, to solve the flood-control problem between Sioux City and the mouth involves the use of multiple-purpose reservoirs upstream.

Mr. CURTIS. Your proposal for reservoirs would remain the same, regardless of what might happen to this item in another bill before another committee?

Colonel REBER. Yes, sir; as I understand it. Mr. CURTIS. Is that also true as to your proposal for levees and appurtenances and blank work from Sioux City down?

Colonel REBER. Yes, sir.

I am not going to go into detail as to just what the Pick plan will do in all of the States in the Missouri River Basin. No doubt the gentlemen representing those States, both north and south of

Nebraska, will cover that part of the recommendations to the satisfaction of all. I do believe that the Pick plan will bring about a much-needed and long-overdue flood-control system to protect the farms and towns and cities along the east edge of Nebraska. Therefore, I wish to turn my attention to one of the principal tributaries, to wit, the Republican River, which involves a considerable portion of the congressional district which I have the honor to represent.

The Republican River and its tributaries is an important factor in eastern Colorado, northwestern Kansas, and southwestern Nebraska. It is a river that has a constant flood problem. The worst flood of record was in 1935. This cost the lives of 110 people. The property damage was enormous. It has been estimated that there was a million dollars of property damage to railroads alone. Considerable farm land was materially damaged and it will take many years to build it back.

The Legislature of Nebraska has memorialized Congress for flood protection and irrigation development in the Republican River and its tributaries. They have designated it as Nebraska's problem No. 1. That is indeed not an exaggeration.

Also every year since 1935, a portion of the Republican River Basin has suffered from floods, bank erosion and other like problems have been more serious because of the damage to the channel by reason of the 1935 flood.

A year or two ago, I was visiting with a farmer whose land was adjacent to the Republican River. He asked me to come see it. When we were yet some distance from the river, we stopped to listen. You could hear his farm falling into the river—fine, rich, black soil being washed away because of an unconquered flood problem.

The 1938 Flood Control Act carried no authorization for the Republican River which would affect that portion of the river which suffered most severely in the 1935 flood. It did authorize a large reservoir costing in excess of \$20,000,000 near the mouth of the Republican River at Milford, Kans. That reservoir has never been constructed and in a subsequent review of the flood-control plans for the Kansas River system of which the Republican is a part, the Army engineers determined that a site in Harlan County, Nebr., approximately 3 miles east of Republican City, would be a better site for an on-river dam on the Republican River than at Milford. The Chief of Engineers, therefore, recommended construction of the Harlan County Dam with a then-estimated reservoir capacity of 1,008,000 acre-feet. This would provide practically the same amount of flood protection for the Kansas cities as would the reservoir at Milford. In addition, it would bring flood protection to four cities in Nebraska and considerable territory in Kansas, which the Milford Reservoir would not have protected. This Harlan County Dam and reservoir would have also provided water for irrigation over a considerable territory in Nebraska and in Kansas. We needed the irrigation

and this added water would mean increased prosperity throughout a great portion of the Republican Valley Basin.

In 1940, there was no general Flood Control Act. The Harlan County Dam was authorized in the act of 1941. The Committee on Flood Control of the House of Representatives reported out an omnibus bill which carried an item approving the plans for the Harlan County Dam and authorizing a further \$7,000,000 for the Missouri Basin, which was to be earmarked for the initial construction of the dam in Harlan County. On two different occasions, the Congress has appropriated money for the preparation of the detailed plans for this dam in Harlan County.

Because of the stoppage of all flood-control work by reason of the war, no actual construction has been started at this site. It is safe to assume, however, that had it not been for the war, Harlan County Dam would now be under construction. The so-called Pick plan for the development of the entire Missouri River Basin reiterates the Army's intention to build Harlan County Dam. In fact, it is one of the principal reservoirs in the greater plan.

The people of Nebraska, and particularly the Republican Valley, were glad when the Army engineers recommended the Harlan County Dam. That did not solve the entire problem. It did not give flood protection on any of the tributaries of the Republican River nor on the main stream west of the reservoir site.

Following the announcement in 1940 of the recommendation of the Army engineers to build the Harlan County Dam, I requested the assistance of the Office of the Chief of Engineers in the preparation of a resolution which would call for further studies west of the Harlan County Dam without in any way prejudicing or interfering with the plans to build the Harlan County Dam. As a result, I introduced the following resolution, which was duly approved by the Committee on Flood Control of the House of Representatives:

RESOLUTION BY REPRESENTATIVE CARL T. CURTIS,
OF NEBRASKA

Resolved by the Committee on Flood Control of the House of Representatives of the United States, That the Board of Engineers for Rivers and Harbors, created under the provisions of the River and Harbor Act approved June 13, 1902, be, and is hereby, requested to review the report on the Kansas River and tributaries contained in House Document No. 195, Seventy-third Congress, second session, with a view to determining whether any modifications of the recommendations contained therein are desirable at the present time with respect to the Republican River and its tributaries west of the Harlan County Dam site.

The so-called Pick plan, which the bill now before the Congress adopts and approves, carries the recommendations of the Army arising out of that resurvey of the west end of the Republican River and its tributaries. The Pick plan recommends five multiple purpose reservoirs on the upper Republican River and tributaries in addition, of course, to the Harlan County reservoir.

The reservoirs located on the tributaries of the Republican River, upstream of the Harlan County dam site, are the Medicine Creek Reservoir on a stream of the same

name, Red Willow Reservoir on Red Willow Creek, Enders Reservoir on Frenchman Creek, Beecher Island Reservoir on the Arikaree River, and Hale Reservoir on the South Fork of the Republican River. These reservoirs are proposed for multiple-purpose use. In addition to the capacity required for flood control, storage capacity would be available for storing excess water for conservation purposes, principally irrigation. No definite capacities for the reservoirs or allocations of water to separate uses have been assigned at this time. Studies of these factors by both the War Department and the Bureau of Reclamation are still in progress.

The approximate heights and tentative gross storage capacities of the reservoirs are as follows:

	Approximate height (feet)	Approximate gross storage (acre-feet)
Medicine Creek.....	85	57,900
Red Willow.....	87	46,800
Enders.....	117	93,200
Beecher Island.....	120	72,200
Hale.....	90	96,400

The proposed reservoirs would control all floods on these tributaries originating above the dam site. They would supplement the Harlan County Reservoir in providing complete control of the largest flood of record at the Harlan County site, and would reduce Kansas River and some Missouri River floods.

The irrigable lands have not been defined, pending final studies by the Bureau of Reclamation. Tentative capacities for conservation use were based on available data on irrigable areas downstream from the dam site and studies of run-off of the various streams at the dam site.

The proposed plan is subject to modification as conditions warrant or as a result of further studies now being prosecuted and to be prosecuted in the future. If an alternate site for a reservoir would be more desirable from a conservation standpoint and provide essentially the same control of floods, and be as feasible from an engineering standpoint, the location of the reservoir could be changed.

I am not unmindful of the very fine work that the Bureau of Reclamation has done in the arid and semiarid West. I have always supported the Bureau of Reclamation and I expect to continue to do so. We hope that out of these plans for multiple-purpose reservoirs in the Republican Valley that the Bureau will be able to bring water to just as many farms as it is possible to do. The Bureau of Reclamation has been studying and surveying the Republican Valley. They have issued a report on the Republican Valley which contains many fine things. It is the belief of both the Bureau of Reclamation and the Army engineers that the plans of both the Army and the Bureau for the Republican Valley can be correlated to the end that the greatest amount of good can come to the greatest number of people.

We have two great problems in the Republican Valley, to wit: Drought and floods. Both problems must be solved. In the letter of H. W. Bashore, Commis-

sioner of the Bureau of Reclamation, bearing date of December 17, 1943, attached to and made a part of House Document 475, the Bureau agrees that the authorized and proposed reservoirs on the Republican River would provide adequate flood control in that area.

In connection with the working together of the Army engineers and the Bureau of Reclamation to conquer the problems of drought and flood in the Republican Valley, I wish to quote from the hearings before our committee, as follows:

Mr. CURTIS. And as you told the chairman, you recognized the need for irrigation in that territory that will be served by that (Harlan County) dam, and which will be integrated into your plan?

Colonel REBER. Yes, sir.

Mr. CURTIS. Now, in reference to the five additional dams above the Harlan County Dam on the Republican River, is there a flood problem there?

Colonel REBER. Yes, sir; there is a real flood problem there.

Mr. CURTIS. In their major flood of 1935, where did the loss of life occur, generally; east or west of Harlan County?

Colonel REBER. Generally, in a great measure, above the Harlan County Dam.

Mr. CURTIS. And to take care of that loss of life and property—and incidentally, the loss of life exceeded 100—is the purpose of your proposed 5 dams that you have enumerated.

Colonel REBER. Yes, sir; plus water for reclamation purposes.

Mr. CURTIS. Yes. Now, it is also true that the rainfall in that area is not adequate for the best farming without irrigation; is that not true?

Colonel REBER. I believe that is correct, sir.

Mr. CURTIS. The soil is good and irrigation farming is successfully accomplished in that general area.

Colonel REBER. From what I have seen—and I am not an expert on soil, sir—but from what I have seen that is generally so accepted.

Mr. CURTIS. Yes. Now, these five tributary dams on the Republican, like the Harlan County Dam, will be so constructed and planned to provide for the greatest amount of irrigation possible.

Colonel REBER. Yes, sir. The plan is flexible and subject to change, and is being studied concurrently by both the Bureau of Reclamation and ourselves.

Mr. CURTIS. And that cooperation with the Bureau, we can expect that not only in planning but in construction and in operation.

Colonel REBER. Yes, sir.

* * * * *

Mr. CURTIS. Now, this entire Missouri River Basin plan runs into considerable money, and, as the report states, it has about four phases in it; is that not true?

Colonel REBER. Yes, sir.

Mr. CURTIS. Is it anticipated that it would take a number of years to complete all of that?

Colonel REBER. Very definitely.

Mr. CURTIS. Now, suppose that in view of the fact that it is going to take many years, that some other agency, or specifically the Bureau of Reclamation, would be in a position and ready and willing to start to build one of the smaller dams on the upstream of the Republican before it was reached by the War Department, would the approval of this basin report prevent it from happening?

Colonel REBER. No, sir; in no way.

The report of the Army engineers, as embodied in House Document 475, which

has been referred to as the Pick plan, is submitted by the Army as a flexible plan, designed with the thought that all problems, controversies, and differences among localities, agencies, and individuals cannot be solved in advance, that by cooperation and coordination of effort between the agencies, needed changes can be made in the future.

In that connection, I wish to again quote from the hearings before our committee, from the testimony of the Commissioner of Reclamation, Mr. Bashore, which is as follows:

Mr. CURTIS. Mr. Bashore, the problem of flood control in a region all of which has ample rainfall is a problem that is ordinarily not referred to the Bureau of Reclamation; is that not true?

Mr. BASHORE. That is right. Where it is east of the one-hundredth meridian.

Mr. CURTIS. And the major portion of your work heretofore has been in the extreme arid and at least semiarid regions, has it not?

Mr. BASHORE. That is right, sir. That is the only authorization we have.

Mr. CURTIS. And while the problem of flood control exists there, the major problem usually is to provide water for agriculture and domestic purposes; is that right?

Mr. BASHORE. Yes; that is the major problem.

Mr. CURTIS. Now, in the Missouri River Basin you have a merger of those two areas—(1) where there is ample rainfall and no need or desire for irrigation and still a flood-control problem, and then (2) it runs into the area of arid and semiarid regions where the need is great for irrigation; is that not true?

Mr. BASHORE. That is true, sir.

Mr. CURTIS. Do you feel that such an area can be continued to be handled by the two separate agencies through the means of cooperating together, or what is your idea on that? Do you think the Missouri River Basin should be handled to the exclusion of one agency or the other?

Mr. BASHORE. No; I do not. I think it should be handled by the two agencies.

Mr. CURTIS. It is sort of a twilight zone between the two problems in its extreme, is it not?

Mr. BASHORE. That is right.

On May 1 the Bureau of Reclamation submitted to the President their report on the conservation, control, and use of the water resources of the Missouri River Basin. This report deals with the irrigation possibilities and carries proposals for the Republican River, as well as all the other tributaries of the Missouri River. This report has now been released and it is being printed as Senate Document 191, Seventy-eighth Congress, second session. As stated previous in my remarks, that report contains many fine things for the Great Plains country.

I wish particularly to call attention to a paragraph in the letter of the Secretary of the Interior to the President of the United States, bearing date of May 1, 1944, which was the letter of transmittal of the report to the President. The paragraph I refer to is as follows:

The construction proposed in this report would be complementary, for the most part, to that recently suggested by the Secretary of War for flood control on the Missouri River. The two plans, while not identical, apparently can be successfully coordinated.

The letter from the Bureau of the Budget, which is a part of House Document 475, Seventy-eighth Congress, sec-

ond session, on the so-called Pick plan, suggested that the Pick plan be delayed and that action be taken later. However, I wish to point out a more recent statement of the Director of the Budget. In a letter from Mr. Harold D. Smith, Director of the Budget, to the gentleman from Mississippi, Chairman WILL M. WHITTINGTON, of the Committee on Flood Control, dated April 27, 1944, Mr. Smith said:

My letters of February 16, 1944, to the Secretary of War and to Representative MCCORMACK, both of which I understand were considered by your committee, express my views on the Missouri River project which is included in the bill on page 12, line 9. While I am sorry to learn that the committee has deemed it advisable to include these projects, I presume that the opening language of section 7 will allow sufficient time before the actual initiation of construction on any of the projects to permit completion of the necessary related investigations and initiation of any supplemental legislation.

Mr. Chairman, I want to make my position clear. The thing I desire most is a construction program on our rivers which will best serve the people of Nebraska. I want the people of eastern Nebraska to be protected from the devastating floods on the Missouri River. I want the people in the Republican Valley to have a development program that will overcome their two great problems, to wit, floods and drought.

I sincerely hope that all Government agencies can and will work together so that soon after the war, the program of flood control and irrigation can become a reality and serve the greatest number of people possible.

Mr. Chairman, I urge the support of the Missouri River plan and of the entire omnibus flood-control bill now before us—H. R. 4485. It is not a perfect bill, but it is a good bill. It calls for public works which are greatly needed and, in my opinion, are for the public good.

(Mr. CURTIS asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. CHENOWETH. Will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Colorado.

Mr. CHENOWETH. The gentleman from Nebraska is a recognized authority on irrigation law. He comes from an irrigation State. I would like to ask a question or two in order to clear up a couple of paragraphs here. The first is in respect to section 4 where the Secretary of War is authorized to sell surplus water. What is the gentleman's observation as to surplus water? In our area all water has been appropriated, including floodwaters. They will be temporarily captured and placed in reserve, but would not be subject to sale. They belong to the appropriators who have already complied with statutes in appropriating it.

Mr. CURTIS. It would be my opinion that water appropriated for irrigation is not surplus water. It is further my opinion that section 4 does not deal with irrigation. It means the sale of water for other purposes, principally to municipalities.

I call attention to the fact that there is a specific section dealing with irrigation regulations and that is section 6 which is a later section in the bill. This would indicate to me that section 4 would not be controlling in reference to irrigation waters.

Mr. CHENOWETH. The reason I asked is this: The gentleman knows there has been some difference of opinion as to Federal and State rights in the control of water. The States of Nebraska and Colorado have been involved in some litigation over water flowing in interstate streams. The State of Colorado, along with other irrigation States, is jealous to preserve the doctrine of State rights in the control of their water. These appropriators have gone into State courts and have appropriated this water, including the floodwaters. The gentleman does not contend, and it is not the attitude of his committee, that that water is subject to sale?

Mr. CURTIS. Not under section 4; no. I think the gentleman will agree with me that the Bureau of Reclamation is distinctly a western institution. The Bureau of Reclamation recognizes the principle of the consumptive and beneficial use of water and of the water user. The thing that we have done in this bill is to state that in any reservoir where there is storage space available for irrigating farm lands that the regulation of that shall be turned over to the Bureau of Reclamation, which is a concession on the part of the Army. It is a definite gain on the part of the Bureau, and I believe the Bureau of Reclamation can be trusted to recognize both State rights and the individual rights of the owners of the water.

Mr. CHENOWETH. Would the gentleman say that any clarifying language is needed in section 4 to establish the doctrine which he has announced here in making a distinction as to the western users of water where the doctrine of appropriation exists, that does not prevail in the East?

Mr. CURTIS. The committee worked on this language. It may be that we did not use the choicest words there are in the dictionary. May I ask the chairman of the committee if he will not agree with me in this statement in order that we might show legislative intent, that it was not our intention to include the sale of water for irrigation purposes under section 4, that that dealt with other uses of water?

Mr. WHITTINGTON. Absolutely; and I may say, furthermore, as the gentleman has already stated, under the language used, and the intent of the committee, there is no effort made for the curtailment of water there for irrigation. My recollection is that under the reclamation acts, and in the distribution of water under those acts, the Secretary of the Interior has the power to do in reclamation districts just what the Chief of Engineers would have to power to do in reservoir districts. This is to make comparable the powers exercised by the Director of Reclamation and the engineers, and would apply only to waters that were

surplus and not needed for irrigation or other purposes.

Mr. CASE. Will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from South Dakota.

Mr. CASE. It seems to me that the interpretation feared by the gentleman from Colorado is prevented by the precise language of section 6 which says that where water can be consistently used for reclamation of arid lands it shall be the duty of the Secretary of the Interior to prescribe regulations, and so forth. In other words, where reclamation of arid lands is concerned, section 6 precisely makes it the duty of the Secretary of the Interior and takes it away from the Secretary of War.

Mr. CURTIS. May I add that as long as we have federally constructed reservoirs there will be Federal control. We have stated in this bill that control with reference to the available space for irrigation water shall be exercised by the Bureau of Reclamation. I believe that the Bureau of Reclamation, being a western agency, being committed to the doctrine of consumptive and beneficial use of water, and in view of its past record covering protection of State rights and the protection of the water rights of the individual, will exercise its authority judicially and that that is the very best we can do.

Mr. WHITTINGTON. If the gentleman from Nebraska will yield further, because I think there should not be any uncertainty, in addition to his statement and in addition to the suggestion made by the gentleman from South Dakota that this is not applicable to irrigation, it would be well to keep in mind the fundamental purpose of this provision. If there is a municipality that wants water for human consumption, that municipality can pay the cost of raising that reservoir in order to provide that additional water. Of course, that puts a burden on the municipality or the local interest that they are frequently unable to bear. In order to provide for human consumption in these projects that are primarily flood control, and to eliminate the difficulty that obtains in reference to the inability of the local interest to supply the money, this provision is put in. I think there need not be any fear that the intent of the committee as well as the language of the bill would not make it applicable to irrigation. If it were, irrigation would be disposed of by the Secretary of the Interior.

Mr. CHENOWETH. Do I understand the provisions of section 6 are retroactive to include projects which have now been constructed and completed? Does this change existing law with reference to projects already in operation? The word "hereafter" is used to start the paragraph and I am not clear as to what the intent of the paragraph is.

Mr. CLASON. Mr. Chairman, I yield to the gentleman from Ohio [Mr. JENKINS] such time as he may desire.

(Mr. JENKINS asked and was given permission to extend his remarks in the RECORD.)

Mr. JENKINS. Mr. Chairman, I wish at the outset to compliment the chair-

man of the Flood Control Committee of the House because he is deserving of a compliment for the splendid manner in which he has conducted the affairs of his committee ever since he has been its chairman.

When I came to Congress the Flood Control Committee was a new committee and was struggling for its existence. In the early days this committee clashed quite frequently with the Committee on Rivers and Harbors over matters of jurisdiction of legislation. The Rivers and Harbors Committee is one of the older committees of the House and most of the legislation that is now considered by the Flood Control Committee was formerly considered by the Rivers and Harbors Committee. The control of the rivers and harbors of the Nation by the Government has been increasing in many ways. Because of this increase of business and increase of activities the work of both of these committees has increased very much in the last 20 years.

The gentleman from Mississippi the chairman of the Flood Control Committee [Mr. WHITTINGTON], by his ability and industry, was able to compose the differences of jurisdiction with the result that he now has a committee that does a great amount of work and a committee that has the confidence and respect of the House.

I expect to support this legislation for several reasons. One reason is that in our post-war activities we will be looking for public projects of worth and merit which will give employment to idle men and at the same time which will benefit future conditions. The W. P. A., although a worth-while institution in some respects, was frequently called upon to do unnecessary work which had little if any permanent value. Most of the projects named in this bill will be of great benefit to the community in which they are located and also to the country generally.

There are other reasons that I can assign why I should support this legislation. I hope that when the time comes to construct these projects that the most worthy projects will be taken first and that the least worthy projects will be taken last. I feel sure that the Army will not permit money to be wasted on unnecessary projects and I also have confidence in our Appropriation Committee that that Committee will not recommend appropriations for useless projects.

There is one project in this bill that will be of great benefit to the State of Ohio and to a portion of the district I have the honor to represent. I refer to the Burr-Oak Dam project.

While the Burr-Oak Dam project in this legislation calls for an authorization of \$400,000 on the part of the Government, the amount to be supplied by local contribution is \$295,000. The Government expenditure will be justified by the fact that this project is a flood-control project. There is no navigation considered in this project. The expenditure by the local authorities of \$295,000 will be justified by the benefit that this lake, which is to be constructed by reason of the construction of a dam,

will furnish a water supply for that community. Heretofore as was brought out in the hearings there has been a great dearth of water in that section at certain seasons of the year. Some mines located in that section have been compelled to haul water in railroad tank cars in dry seasons. It is intended that this water supply will relieve that situation and that it will also benefit the community in many other ways.

As I have heretofore stated, I hope this legislation passes the House.

Mr. CLASON. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

[Mr. MILLER of Connecticut addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. CLASON. Mr. Chairman, I yield 15 minutes to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, the treatment accorded me by the Committee on Flood Control was most gracious, although I was viewed with some suspicion, if not with alarm, and was more or less persona non grata because of certain ideas I entertain with respect to matters in hand. The chairman and the ranking member are my personal friends of long intimacies and some battles in which we have joined.

I dislike, therefore, to have to take a position in disagreement with my colleague the gentleman from Massachusetts [Mr. CLASON], for whom I have admiration and respect, but I have to, and so I am opposed to the bill as it stands. There is no man more intellectual nor more deliberately able to sustain his position than the chairman. That is what I am up against. I am nevertheless against the governmental policy under and by virtue of which this law, by virtue of the bill under consideration, will operate. I am opposed to totalitarianism. Really, I doubt if my friends know how far they have gone.

As for me, I do not believe the Federal Government should have undertaken or should continue to undertake to centralize in itself the control of matters, if and when and because the States by compacts entered into between and among themselves have demonstrated they can satisfactorily control and direct the matters which are intimately and principally their own concern. Disagreement makes horse races, they say.

Mr. Chairman, despite any suggestion to the contrary, I am for flood control. So are the people whom I have the honor to represent, uncontrovertibly, as evidenced by the compacts which have heretofore been entered into by them.

They, the people, are even more interested and concerned than I am, if possible, which I deny, because they have been the victims, as I have been, of the lack of the very thing, protection, which ought to be provided against a flood and which was attempted to be provided by a program of compacts which the New England States entered into, which was disregarded. Your turn will be next.

I am opposed to the policy and the program evidenced by this bill which assumes to disregard my area, you will be

next, and to try to centralize and to federalize and to control the rain drops, the fog, and the dew. This administration overleaps itself in its vaulting ambition to socialize, to wreck individualism, free enterprise, and free government by the enactment of legislation in disregard of what the States or the people may do to save themselves.

As an American I do not approve the idea or the theory that the Federal Government should undertake to control those things so certainly, completely, and intimately the concern of the people of the States as are the air and the land and the water, till the people show incompetency to take care of themselves. If we are to remain a democracy, the Federal Government should neither offer help, nor undertake to control the matters peculiarly the people's rights, unless and until the people have demonstrated their inability so to do or have exhausted every method in their own interest and behalf, for any other program spells the end of this democracy of Jefferson. Else we are an aristocratic autocracy of totalitarian puppets.

So far as flood control is concerned, it has been well said that our attempts, centralized and federalized, to try to beat nature and nature's god, are foolishly futile. God save us for the day is at hand, based on our own greed and lust for temporary power and to our own dishonor.

After all these years of experimentation we are realizing at great cost what we have done to this great country of ours. We are now undertaking to stop our damnable work by installing dams to catch dirt and silt in order to make deserts, to stop floods. How silly. What a joke. It is a most asinine proposition. We pay the bills. It involves the spending of more millions, amounting to trillions in the end, the penalty we pay for our shortsightedness, the cost of which cannot be comprehended by anybody unless possessed of an astronomical mind. Why continue to be so foolish? Why do we go haywire when a little common sense would salt and savor the salad. Does not somebody have it, or do votes for reelection count so much against your self respect? You will have to live with yourself forever. What an awful thing to contemplate in view of your votes for votes. God save the State.

Of course, we should have started long ago to stop denuding and stripping our forests, making the Dust Bowl what it was and will be again if the greed of man controls. You cannot beat God. God knows you cannot stop floods by dams—you cannot beat Nature or Nature's God, no matter how smart you are. They tell me that even today the floods which are covering this country are chargeable more to the narrowing of channels by the initiation of Army engineers and to the building of dams and dikes by men so foolish as we are to think we can correct our fundamental error than to anything else except the original proposition that man can stop God. How foolish and what an expense!

The fact is that those wise persons who favored and fathered flood control, as such, never anticipated nor contemplated that the octopian tentacles of a Federal Government would ever be permitted to wind themselves about and be permitted to attempt to choke the life out of the States, which are the people. Nevertheless, whether the people know it or realize it or not, that day is here. It has happened and is glorified.

The States of Massachusetts, Vermont, New Hampshire, and Connecticut once upon a time entered into a satisfactory and sufficient compact with respect to flood control to conserve, preserve, and save themselves.

The legislatures of the several States ratified that compact. The people undertook to raise the revenue to cover the expenses involved in an effort to accomplish flood control by taxing themselves. The compact was submitted to the Senate of the United States. It declined to recognize it or the right of the States to legislate in their own interests, notwithstanding the fact that the States had entered into this compact and that the people through their legislatures had spoken. God save liberty.

It was an outrageous, high-handed act, indefensible and un-American, if I may use that word respectfully, this crucifixion of the States, for it was born of a snap political partisan trick, beneath the dignity of those who offered the amendment to the bill on the floor of that august tribunal at the other end of this corridor. It was done in the orgy of the heyday of those who, intoxicated by an exaggerated idea of their own magnitude and political power, were about, they thought, to take over the world, everything that is on top of or under the ground, the fish in the seas, and the fowls of the air. And everything else mentioned in Genesis.

Gradually, slowly, but eventually, the people will undertake to recapture all those things which Congress as a rubber stamp gave away foolishly and that the people who think this is a good Government to live in so long as they can live off it were willing to have given away. It is about time to stop that program before there is nothing left.

This compact between these several New England States, which followed the statute as to how a compact should be made and entered into and how it should be submitted, was agreed to. Some of these gentlemen around here from these several States adjoining mine were members of the legislatures of their several States at the time they sought to save States' rights. Special sessions of those legislatures were called to consider this compact. The State of Massachusetts and others held special sessions, if I am not incorrect. I have forgotten what the name is that they have for that kind of a special session—in Massachusetts, emergent, I think—but my attention was attracted to it at one time. Anyway, it was an emergency session, so called by the Governor, to consider this compact. The compact to prevent floods was omnipresent and important there as elsewhere.

We had all agreed to care for the whole situation as far as the New England area was concerned. We did not ask the Federal Government to intervene. We were ready to pay the price, the bills; offered to do it; the bids were allotted. The amounts which the several States should pay were apportioned to the several States. Those compacts were signed by the officials of the several States and transmitted to Congress. The Congress eventually absolutely ignored the right of the States to have anything to say about their own business, or the right of the people who elect the Members of Congress, who were ready to pay the bill to take care of an opportunity to preserve to them their life, liberty, property, and pursuit of happiness. What a high-handed procedure.

On the afternoon of July 6, 1937—

Says the CONGRESSIONAL RECORD of June 9, 1938—

In the office of the Governor of the great Commonwealth of Massachusetts, the authorized representatives of four sovereign States met for the purpose of executing on behalf of their respective States compacts providing for the control of destructive floodwaters of two of the largest river systems of the New England States. Massachusetts, Connecticut, New Hampshire, and Vermont had reached a satisfactory agreement respecting the basin of the Connecticut River, a problem common to the four States; while Massachusetts and New Hampshire, who, for geographical reasons, were the only States interested, had similarly solved the question of flood control on the Merrimack.

It was in many respects a historic occasion.

Some very distinguished gentlemen, one or two of whom are here before me today, were present to deny it.

Four highly individualistic States, each justly jealous of its own sovereignty, had, nevertheless, composed any differences of opinion which might otherwise have been fatal to such a program, and the way was clear, but for the mere matter of approval by Congress—

Which it never had.

Since my friend and colleague from Massachusetts [Mr. CLASON] was present at that meeting—I later learned he was not present at that meeting, yet was the godfather, as appears from the record—and still was an interested progenitor and coparent of the compacts, he can take no exception to my insistence that the program with respect to the Williamsville Dam should be dispensed with, and postponed for now. How do we know what a low dam means? Strike out "high"? What is "low"?

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I value the gentleman's opinion. Let me ask him this question. If we eliminate the restriction contained in this bill, would it not militate against the very view on which the gentleman is insisting, because under the language of 1938 it might be maintained that the Chief of Engineers had the right to build a high dam, and we have undertaken to protect Vermont by saying that he shall not be permitted to construct a high dam.

Mr. PLUMLEY. I am going to try to undertake to take all the worry out of the gentleman's mind tomorrow by striking out that word "high." Then it will leave it that under this bill as written they cannot do anything unless we know what is meant by striking out "high."

Mr. WHITTINGTON. That would stymie the whole program.

Mr. PLUMLEY. No. I have been asked to offer an amendment to strike all after the word "eleven" to the word "nineteen," but I have declined to do that because I said I will not be a party to stymieing the whole program in the valley. I will, however, be a party to and I do insist that by the very language of this bill which you have brought in here you have shown no emergency, no occasion, no necessity for action at present. You will strike out "high," you say. I ask you what is "low." Therefore, until further consideration may be given this matter of so great importance to these States, which were ready and willing to and did enter into a compact, no damage can be done to anybody by striking out that word "high" until I know from the engineers, to whom the Congress would delegate its authority, what it will do if permitted to exercise the authority heretofore granted. We are for flood control. We have proved it. We have agreed to it. That does not mean that we propose to be drowned, devastated, or destroyed by delegated authority. I know you too well to think you would wish us to buy a "pig in a poke." I shall have to oppose the generality on the proposition, however generous it may appear to be.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I yield.

Mr. WHITTINGTON. Then would it be necessary if we eliminate this limitation in the bill?

Mr. PLUMLEY. If you strike out that word "high."

Mr. WHITTINGTON. That would eliminate the reconstruction altogether. That would leave the law just as it is.

Mr. PLUMLEY. Not as I have written my amendment, I hope.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. I agree with what the gentleman said as to the desirability of adopting the compacts, but as a practical matter we have not been permitted to operate under the compact. Congress refuses to ratify it. The Supreme Court, which is the last word, says the Federal Government has the right to go into your State and mine and to go into these dams and build them if they want to. After doing so, are you going to deny the people of that locality in Vermont and Connecticut whatever flood protection we can give them? I hope the day comes when that act is repealed.

Mr. PLUMLEY. That is right. Now you have said it.

Mr. MILLER of Connecticut. Wherever a river goes through State lands, as long as every State on the river banks is willing to sign the compact, they shall have the right to do so if they want to

and the State that tries to stop them shall be estopped.

The CHAIRMAN. The time of the gentleman from Vermont has expired.

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. CURLEY] 5 minutes.

Mr. CURLEY. Mr. Chairman, and Members of the House, it was not my purpose to enter into a discussion of this bill, because a person coming from an eastern city is not supposed to be familiar with the problems of the West, which afflict the entire country. But I will say that journeying through Arkansas in 1928, I witnessed the ravages of a flood in the Mississippi Valley. I saw houses on stilts or logs or poles with all of the top soil washed away and with nothing but blue clay remaining for a distance of more than 100 miles. I called a conference in 1930, composed of 22 leading economists of Massachusetts, representing 22 universities and colleges, to consider the problem of flood control and as to how it affected the entire Nation. I learned for the first time that the Mississippi River with its tributaries affect 38 of the 48 States of the Union. It was estimated by competent authorities that the loss through soil erosion in a single year represented an average of \$250,000,000. I then learned that it would be possible to effect a saving of \$250,000,000 annually in the fuel supply of New England, providing there was adequate flood control. So we made a recommendation to one of the candidates for the Presidency in 1932 that he include in his program \$2,000,000,000 for flood control in the United States. I had occasion to talk to the President of the United States some 8 months ago and I asked him how he was getting along on the program and was informed by him that we had already expended about \$3,500,000,000 upon the flood-control program and in all probability it would represent an expenditure, before completion, of \$5,000,000,000.

We can quibble as we see fit about interference with States' rights or its effect upon individual communities, but the fact remains that there is no State or group of States that would be willing to undertake a capital expenditure of \$5,000,000,000 to settle a problem of this character. When you stop and consider the possibilities of adequate flood control in the Mississippi Valley you have some realization of the enormity of the problem. You are actually giving the United States of America a third coast line, an interior coast line, if you will, by controlling the flood waters in the Mississippi Valley. We had an example recently within the last 2 years since our participation in World War No. 2. They constructed boats at Cleveland and sent those boats down the Mississippi River on their own power. They were destroyers and submarines. The Mississippi River had a mean depth of from 1 to 6 feet when flood control started. I am informed by the engineers it now has a depth of from 6 to 9 feet and within 10 years if the present liberal policy is pursued, it will have from 9 to 15 feet. We, for many years, have followed the same policies that have been in vogue in China

for more than 2,000 years along the Yangtze Kiang and the Hwang Ho Rivers of building dikes whenever there was a flood. Finally they got so they had to build dikes 1,500 feet in height. The flood waters came along and washed topsoil into the bed of the river. As the bed of the river ascended it was necessary to raise the dikes. For the first time in the history of fighting floods and flood waters in America, we have adopted a new system by the establishment of these water reservoirs and these water basins for the storage of flood waters in time of flood.

By permitting the Mississippi River to scour its own bed we do away with the necessity for the erection of dikes and we increase the depth of the river so as to make it navigable its entire length.

Abraham Lincoln is authority for the statement that no nation can exist one-half slave and one-half free, and any individual who has given any study to the long, sad story of bank failures in the agricultural sections and of almost annual floods in the Mississippi River area must realize that this Nation can never enjoy any measure of prosperity so long as one-fourth of the entire Nation, represented by the agriculturists, are walking in the shadow of adversity. The possibility, through the expenditure of \$5,000,000,000 for the development of an inland empire in the heart of this Nation, is too important for any individual to overlook.

PERIODS OF DEPRESSION

We have our periods of depression in the world. Lloyd George is authority for the statement that they had one in every 2½-year period in the last hundred years in Great Britain. We in America have had one in about every 5-year period in the last half century. In about every 2- or 3-year period they have had an overflow in the Mississippi Valley—an overflow that could have been prevented through a generous expenditure of public money. When we realize that this one great artery for transportation at the lowest possible rate of freight of every character—the Mississippi taps with tributaries 38 States of the Union—we have some realization of the importance of that project to the entire Nation.

I would propose the expenditure of \$5,000,000,000 in the Mississippi area, the creation of great reservoirs or water basins to hold the supply in time of flood and to release it in time of drought; the creation of hydroelectric generating plants at the entrance to those water basins on the Mississippi, the Missouri, the Arkansas, the Red, the Ohio, the Colorado, and the other tributary branches; the development and the manufacture of that hydroelectric energy at less than one-half a cent per kilowatt-hour and its distribution at that price to the individual in that section of America and the possibility of 12 months' navigation would do more to add to the prosperity of the American farmer and every American than any single investment that this Nation of ours might make.

WHAT PROPOSAL WOULD MEAN

It would mean the absorption at the present time and for the next 2 years of

the basic materials iron, steel, cement; of electrical energy-developing machinery; it would mean the Westinghouse, the General Electric, and all the leading electric companies here in the East working on a 24-hour schedule for the next 2 years. Through direct water transportation, it would be possible to invade the markets of the world that America must develop for her existence.

The future of America lies in the invasion of the Orient—the markets of India and China—and South America. The continuous navigation of the Mississippi River, with a water freight rate of 30 to 40 cents a ton as against a rail rate of \$1.80 a ton, with direct water connection, by way of the Panama Canal, to the Orient and South America, would result in creation of an inland waterway in the heart of America.

It would add more to the prosperity and wealth of the American Nation in the next 25 years than the Louisiana Purchase did since it was added to America.

There is no reason why these great opportunities, not only for the solution of the present industrial problem but the future prosperity of America, should be permitted to lie idle.

NO TIME FOR HESITATION

We did not hesitate during the World Wars to loan to the European nations, and yet we hesitate when the welfare of America is concerned. Thirty-eight States of the Nation tapped by the Mississippi and its tributaries; settlement of the flood question.

The production from that wonderful alluvial soil along the banks of the Mississippi, Ohio, Colorado, Missouri, Arkansas, and the Red; the possibility of direct water communication. I confess I never had any realization of how immense it was until we had a coal famine here in 1915. Out in Pennsylvania every time they get an accumulation of slag and slate they arrange a strike and then they unload the slag and slate on us for coal—at \$20 a ton as against the customary price of \$15 a ton. We had one of these strikes in 1915 and the price of coal advanced to about \$18 a ton. Then we received here for the first time coal from Kentucky. It was not anthracite, but it was a high-grade bituminous coal with a low ash content but with a higher heat unit than any anthracite we ever used. Why do we not get it here all the time? Because the freight rate from Kentucky to Boston is \$5.80 a ton. With a water rate of 80 cents to \$1 a ton, they could undersell Pennsylvania anthracite and then make more money upon the coal handled than in any previous time in the history of Kentucky.

The hauling of cotton and cereals over the Rocky Mountains to Seattle, Portland, Oreg., Los Angeles, and San Francisco for shipment to the Orient when the Mississippi and its tributaries affords a direct route via the Panama Canal is an indictment of our intelligence.

FAVORS \$5,000,000,000 EXPENDITURES

I am in favor, although living in a State far removed from the agricultural regions, of the immediate expenditure by the United States of America of \$5,000,-

000,000 to settle for all time the question of flood control and make possible the development at the lowest possible cost of electrical energy; and to give America control of the cheapest character of water transportation; and to enhance the value of our investment in the Panama Canal; and to develop in the heart of America an inland empire, within the territory of which every progressive, forward-looking leader of the industrial life of the world would find it necessary within 5 years to locate a plant and take advantage of cheap water transportation and the lowest electrical cost to be found anywhere in the world.

The farmer's problem is the problem of every individual in America, and when it is settled, in God's name, let it be settled right.

(By unanimous consent, Mr. CURLEY received permission to revise and extend his remarks.)

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

(By unanimous consent, Mr. PLUMLEY received permission to revise and extend his remarks.)

Mr. WHITTINGTON. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. WRIGHT] 7 minutes.

Mr. WRIGHT. Mr. Chairman, I am very much impressed by the national benefits that will accrue from the adoption of the act and the extension of the present flood-control program, but I trust I may be pardoned if I venture a reference to its particular impact upon the Upper Ohio River Basin, from which area I come, and a portion of which I have the honor to represent.

As you all know, the Ohio Valley, drained by the Allegheny and the Monongahela and the Ohio Rivers and their tributaries is one of the greatest industrial regions of the United States. I do not think it would be possible for us to carry on our great production program if we did not have the steel that comes from the mills of Pittsburgh and West Virginia, and Ohio. In 1936 and 1937, that entire region was inundated, the commercial and manufacturing area of Pittsburgh was completely under water, and industries farther down the river in Ohio and West Virginia were closed. Due to the topography of the country the mills in Pittsburgh and in the remainder of the valley, are constructed at a very slight elevation above the river banks. Since that time six dams have been built above Pittsburgh, on the tributaries of the Ohio River. In 1942, after we were in the war, it was due to the construction of these six dams that another flood was prevented in Pittsburgh, in Ohio, down to Wheeling, W. Va., that great industrial region, which would otherwise have been put out of operation. Had that occurred the heaviest concentration of the steel industry in the United States would have been rendered largely useless during the period of flood, and of the repair of the flood's ravages, and vital supplies of steel and its products would have been lost to the United States.

These reservoirs, according to the information I have, reduced the crest stage

at Pittsburgh by 3 feet and prevented property damage estimated at over \$15,000,000. In Ohio and West Virginia property damage to the extent of \$14,000,000 was likewise saved. These reservoirs cost \$38,250,000 and in 1 year they prevented the occurrence of damage estimated at \$29,000,000, thus practically paying in 1 year for their construction.

The present bill authorizes the appropriation of a further sum of \$70,000,000 for flood-control projects to be constructed in the headwaters and tributaries of the Ohio River. There is one in the Chadakoin River area in New York. The Chadakoin River empties into Conewango Creek, and finally finds its way to the Allegheny and the Ohio. There is a project erected on the Cheat River in West Virginia which is estimated by the engineers to reduce the flood stages at Pittsburgh in the event of any maximum flood of reasonable expectancy, as much as an additional 1.4 feet.

There are also further improvements in the Youghiogheny River Basin, which now flows into the Monongahela and thus into the Ohio, and improvements near Latrobe, on the Loyalhanna Creek, whose waters also find their way into the Ohio. All of these undoubtedly will have some additional effect on reducing the flood stage at Pittsburgh and farther down the valley. I do not believe in the unreasonable or unwarranted extension of Federal power and the deprivation of the States of the power which they rightfully should have. But I cannot possibly see how projects of this magnitude, which involve not one, but many States, can be at all handled by the States in a practical manner. For example, two projects to which I have referred which affect the entire Ohio Valley, originate in its headwaters, one of them in West Virginia, and the other in New York. It would be obviously unfair to ask the States which have no direct or considerable benefit to be received from these projects, where the projects are for the benefit of States farther down the river—indeed for the entire Ohio Valley and for the ultimate benefit of the Mississippi Valley—to be asked to pay for such projects themselves. The Federal Government cannot afford to wait while the States join together in some possible compact in order to perform these public works which are for the general and immediate interest of the country at large.

I wish to compliment the committee for their very painstaking and conscientious study of this great problem. I wish also to compliment our very efficient office of Army engineers. I think they are doing a splendid service for the country. I also suggest that projects such as have been outlined here should be constructed as one of our first post-war works.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I am happy to yield to the gentleman.

Mr. WHITTINGTON. I should like to say that the so-called State-compact theory of flood control failed because, among other things, one State could

block it completely, and thus block flood control throughout the Nation.

Mr. WRIGHT. I am thankful for the gentleman's observation. To me that is obvious. This is a matter of national magnitude, and I feel, must be handled in a program with a national scope.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield.

Mr. CASE. Has the gentleman seen the cartoon by Fitzpatrick which appeared in the St. Louis Post Dispatch of April 30, which merely shows a landscape with a river starting as a trickle and coming down in a terrible flood at the bottom, with everything submerged except the top of a telephone pole and one lone citizen on the roof top of a floating house, and below the cartoon this caption: "While the States disagree on a program"?

Mr. WRIGHT. I thank the gentleman. The observation and the idea of the cartoonist is relevant and very pointed, and illustrates better than anything I can say the inadequacy of State action upon this matter.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent Mr. WRIGHT was granted permission to revise and extend his remarks.)

Mr. CLASON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. RAMEY].

(By unanimous consent, Mr. RAMEY was granted permission to revise and extend his remarks.)

Mr. RAMEY. Mr. Chairman, about the only thing that gives me a feeling of comfort in regard to the message I have is when I look at Watts' painting of Hope. There she sits at the apex of the universe, playing on a harp of a thousand strings, all of which have been broken save one. And I am strumming on that one string.

This Congress, under Public Law No. 138, enacted legislation to provide for emergency flood-control work made necessary by recent floods and for other purposes. I find it applies to every place but the vicinity of Toledo, Ohio, and the Lake Erie region.

After our flood disaster of 1943, where something like 300 people were made homeless by the lake flowing over the dikes, I was hopeful that emergency act would take care of us.

I was advised by the legal department that it did not apply. It applied everywhere but to us, but nothing for the fathers and mothers of the veterans in the Lake Erie district. A flood only happens in rivers and in certain geographical centers. Surely the Loan Disaster Corporation would take care of us, they could lend the money, but not for the building of dikes. I was referred to Colonel Goethals, who sent some Army engineers there. They estimated that it would require \$110,000 to make these necessary and urgent repairs and he approved it. After the report was returned the legal department said, "No. Public Law No. 138 does not take care of it."

Then we received the usual word, "refer, refer, refer." Have any of you

Members ever been referred? Most of you went home during that recess period of last summer but I remained on the job here to take care of the flood sufferers. I was referred to this department, that department, and the other department. With shoe leather worn out, I walked, and walked, and was referred and referred, and I heard other words, "overall—broad view," until I almost reached the place where in my sleep I heard "If pi equals X you extract the cube root and then you get the philosophy that you are not taken care of because you are a minority man."

So in distress I prayed, "God Almighty, cannot the flood sufferers of our region be taken care of? Does it only go to the rivers?"

This year my colleague in the Senate, Senator TAFT, introduced S. 1536, which is now before the Senate Committee on Commerce. I hope that something happens there; one hearing has been held on the bill, but there is delay. They have suggested that perhaps it can be passed and attached to this bill. In the meantime, two other floods have occurred. Originally, the \$110,000 would have taken care of it. It was not done. Another flood occurred that increased the cost of needed repairs to \$265,000. Just the other day there was another flood. Still they say it is not a flood. Plainly a stitch in time would have saved nine.

What is a flood? The dictionary states that it is "a body of water rising, swelling, and overflowing land not otherwise so covered." Anyway, the dikes went and we have our floods.

The other day I talked to the man who wants to be Governor of Ohio. He said: "Congressman, don't give up; be an optimist. My uncle, 98, recently married a lady 96, and they are hunting for a home located near a schoolhouse."

I am in sadness, however. I voted for nearly \$2,000,000,000 to relieve suffering in other lands; I voted for every measure connected with the war effort. I ask only a little bit, yet I am met with the response: "It does not apply; it does not apply." I hope to offer an amendment tomorrow. Will you help me? Will you please have a heart and not use the words "it does not apply"? In God's name, think of those men, most of them fathers of soldiers, and their families that are without homes. We have gone to the Housing Authority. They will take care of migrants, but if a person happens to live along the shores of Lake Erie there seemingly is no relief. Even if you have no immediate interest in our troubles, in God's name, be just, be generous. That is my message.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Ohio yields back 4 minutes.

Mr. CLASON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. TROUTMAN].

Mr. TROUTMAN. Mr. Chairman, the bill before the Committee authorizes the construction of certain public works on rivers and harbors for flood control and for other purposes. The enactment of this bill will continue the national flood-

control policy and program initiated by the act of 1936 and extended by subsequent acts of Congress.

In approving the Flood Control Act of 1941, the President directed that no new flood-control projects should be undertaken unless they were of direct importance to the defense of the Nation. Since the declaration of war the demands of construction, and the shortage of critical materials, equipment, and labor have forced the stoppage of numerous projects which could not command sufficiently high priority ratings to secure the materials needed for their construction.

The present bill constitutes legislative planning for post-war construction. We already have an enormous backlog of flood-control projects which have been authorized in previous acts but which have not been put into execution because of the necessities of war.

The Congress and the country recognize flood disaster in this country as one of the major problems affecting the welfare and security of the entire Nation. The enormous loss of life and property caused by floods calls for some systematic program of flood control. Scarcely any section of our country has been immune from these disasters. It is, therefore, essential to undertake the preparation of detailed plans to cope with this great force of Nature. From an economic standpoint, a reserve of worth-while projects which can be initiated immediately following the war should provide a great deal of employment for workers made idle by the closing of war plants. This bill includes many meritorious flood-control improvements. The lives and property of our citizens who live in the fertile valleys of our rivers must be protected. They must have a sense of security if they are going to live in peace and build permanent homes. Moreover, the flood areas must be made so secure from flood that industry will be willing to venture into the area.

This bill contains additional authorizations for some very necessary projects in my home State of Pennsylvania. There are many flood-control projects which have already been authorized but which have not been built, due to the stoppage order of the Chief Executive. It cannot be urged too strenuously that many of these projects should be in complete readiness to be executed as soon as war conditions permit. Many of these projects are so essential that they should be undertaken even before the cessation of hostilities and just as soon as manpower and materials are available. I refer particularly to the project on the Susquehanna River at Sunbury, Pa., which provides for a system of levees and pumps which will materially lessen the danger of disastrous floods. The Sunbury area is engaged in much war work and other manufacturing activities and is an important railway and transportation center as well. There are many other worthwhile projects in the other river valleys of the State which should be given prompt attention. While the most recent devastating flood in the Susque-

hanna River Valley occurred in 1936, yet since that time floods, and the danger of floods, have occurred quite frequently. The great flood of 1936 throughout the Susquehanna Basin caused damages estimated at \$67,000,000. In the Ohio River Basin, in the vicinity of Pittsburgh, flood-control projects, already completed, have reduced the crest stage by several feet. The present bill calls for additional improvements which should materially protect the highly industrialized Pittsburgh area. While the need for adequate flood protection is widely recognized, yet there is a constant danger of using flood control as a guise for promoting projects for other purposes. It has been the policy of the Committee on Flood Control to recommend only such projects as will provide primarily for protection against floods and the generation of electricity and other purposes have been given secondary consideration.

It should be the policy of Congress to place each project under the test as to whether or not the primary objective is the control of floods. There is at least one project in the bill which provides for improvements which will have very limited use in the control of floods but is primarily a hydroelectric project. I refer particularly to the improvement in the Youghiogheny River Basin. This river traverses land underlaid with some of the finest coal deposits in the world and in this area electricity can be generated by steam economically. It is doubtful whether such an improvement, involving such an enormous sum of public funds, should be authorized, particularly in a flood-control bill.

While we are almost unanimously committed to the virtues of a flood-control program, we should not let it become the instrumentality by which Federal agencies assume control of water rights which properly belong to the State and its citizens. Prior to 1933, Federal control extended only to navigable waters actually used in interstate commerce. A new test of navigability, however, has been established in a series of recent cases. The Court has ruled that an unnavigable portion of a stream and its unnavigable tributaries may in law become navigable because they maintain the navigability of the lower portion. It should not be forgotten that the primary rights in water rests in the States, and while a program of Federal aid in controlling floodwaters is highly desirable, yet it should not form the basis of a usurpation of the rights of the several States. Federal projects should only be undertaken in complete cooperation with the State and local governments. Too often has the humanitarian appeal for the control of floods been used to camouflage the real purpose of those who advocate a strong centralization of powers in the Federal Government.

While practically all of the projects in the pending bill are primarily for flood control and make the bill worthy of the favorable consideration of the House, nevertheless, it is imperative that due caution be exercised so that no authorization shall include projects which are only remotely connected with the subject of flood control.

(Mr. TROUTMAN asked and was given permission to revise and extend his own remarks.)

Mr. CLASON. Mr. Chairman, I yield 15 minutes to the gentleman from North Dakota.

(Mr. BURDICK asked and was given permission to revise and extend his own remarks.)

Mr. BURDICK. Mr. Chairman, I am going to be one of the speakers who is not for this bill. I have every respect for the chairman who brought this legislation in and I am with him on most things, but because we are friends, because I admire him, is no reason under the sun why I should agree with him if his philosophy and mine disagree. I want to call your attention to a few of the outstanding things that are going to be done in this bill, and I am referring to the rivers that have their sources west of the 97th parallel.

This bill first authorizes a comprehensive scheme of improvements in the Missouri River under the direction of the Secretary of War. Second, it authorizes the Secretary of War to construct and maintain canals and takes possession—I presume it could not mean anything else—of the irrigation systems that we now have working under Government control in the Bureau of Reclamation. Third, it authorizes the Secretary of War to sell to States, municipalities, private concerns, and individuals at such prices and on such terms as it may deem reasonable—what are they going to sell back to us? The water that we who live out west of the 97th parallel thought we had a right to use, water we thought God Almighty put there for us to use. But now we have got to turn it over to the Government and buy it back. Fourth, it provides that hereafter whenever in the opinion of the Secretary of War any dam or reservoir project operated under his direction can be consistently used for reclamation of arid lands it will be the duty of the Secretary of the Interior to prescribe the rules and regulations and the price of water.

This comprehensive plan that was developed on the Missouri River includes, of course, flood control and navigation. These in themselves, flood control and navigation, are national in scope and fall within the commerce clause of the Constitution. The matter of navigation is one of Federal control. There is no argument on that at all. But through this Federal control of transportation and flood control they have added on these other elements in this bill.

I am against this bill as it now stands and unless some very important amendments are made, I will vote "No" on final passage.

Judge Stone has given the best analysis of this bill that I have seen. He says:

1. It authorizes a comprehensive scheme of improvements in the Missouri River, under the direction of the Secretary of War and supervision of the Chief of Engineers, not only for flood control and navigation, but for irrigation, power development, and other purposes.

2. It authorizes the Secretary of War to construct, maintain, and operate conservation facilities at dams under the control of the War Department. Section 3 granting

this authority seems to be broad enough to permit the Corps of Engineers to construct, maintain, and operate the necessary canals and other facilities to utilize stored water for irrigation purposes.

3. It authorizes the Secretary of War to sell to States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable for domestic and industrial uses, surplus water that may be available at any reservoir under the control of the War Department; and provides that all moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts.

4. It provides that hereafter, whenever in the opinion of the Secretary of War any dam and reservoir project operated under his direction can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purposes and the operation of any such project shall be in accordance with such regulations. The same provision specifies such charges for the use of stored water, as the Secretary of the Interior may deem reasonable, the receipts therefrom to be deposited into the Treasury of the United States to the credit of miscellaneous receipts.

We have gotten along pretty well since 1902—42 years—under the reclamation system that we have in the West that you want to change today if you can do it; but I intend to point out here before you do it what is going to happen if this bill passes.

If this bill passes you are going to wipe out the Reclamation Bureau in just one vote and hereafter all irrigation in the West will be under the direct control of the Army engineers. The Reclamation Bureau has worked with the States; they have worked with North Dakota and other States; and the use of water is regulated by the States. Many of you Members have been very jealous about the encroachment of the Federal Government on States' rights but here in one vote you are going to wipe out all the authority that the States ever had on the question of the use of water and you are going to lodge it right back with the Federal Government under the pretense that you are operating under the authority of the commerce clause.

But you say, "We have amended it; we have amended it so it will not do any damage." Let me read you the amendment:

Provided, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by law.

Had you put an amendment in the bill subjecting the use of this water for navigation to the right of the States in the arid West to use that water for irrigation, or if you would put irrigation on an equal level, it would have been at least fair; but here you say they cannot use any water except such as is authorized by law. What law do you have reference to? If it is a State law, that is, of course, wiped out, because this is a Federal law; in other words, what you are doing here this afternoon and tomorrow is changing the entire system of the United States and embarking the Government on a new policy in the use of water. It passes from State control, from control of the Reclamation Bureau

into Federal control under the Army engineers of the United States.

Judge Stone's opinion on the effect of this amendment seems too clear for argument. It reads:

This amendment does not protect the existing and potential uses of water for irrigation, and does not clearly state the intention of the Chief of Engineers. It can constitute no reassurance whatsoever to residents in the Upper Missouri Basin.

First. When it is said that by the authorized words no demand for water is made "over that now authorized by existing law," the question is asked, "What law?" Under the theory of this authorization bill, the demand for water for navigation and to carry out the plan of the Corps of Engineers would be exercised under the commerce clause. This means, then, that the paramount and controlling law would be the Federal Constitution. It follows that in any case where there is a conflict between the constitutional power and the State laws the term "existing law" offers no protection to water rights for irrigation, domestic, and industrial purposes under State laws.

Second. Existing law does not specifically define the quantitative demands that may be made upon water resources of the Missouri Basin for present or future navigation projects in any comprehensive plan.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CASE. It seems to me that the meaning of that amendment must be considered in relation to its origin. That proviso does not pertain to recapture for the States above Sioux City water rights which had previously been appropriated by law to use below Sioux City. It does provide that nothing in this act shall be construed to establish any new rights for water used below Sioux City beyond those that are now authorized by law. As the debate on the river and harbor bill clearly showed, the uses of water below Sioux City that are presently authorized by law are the water required for a 6-foot channel and the Fort Peck Reservoir. These are already established by law. This proviso is to the effect that nothing contained in this bill shall give any new water rights below Sioux City.

Mr. BURDICK. Let us suppose this situation arises: It is admitted on all sides and admitted in this report that there is a shortage of water in the Missouri River at times. Let us suppose we pass this bill and the Army engineers use a certain amount of water for navigation. We want to use some of it for irrigation, but they say: "You cannot do that now because we need it for transportation on the river." Which law is going to prevail in a situation of that kind? Do you think this amendment—I understand the gentleman from South Dakota offered it—does the gentleman think this amendment will protect us in the use of that water where we need it?

Mr. CASE. I have never maintained that this proviso recaptured anything which had been given to water users below Sioux City by prior law. I have always contended that this was the minimum that we should have, that we should make clear that any legislation we are passing now establishes no new priorities below Sioux City. The gentle-

man realizes that the Fort Peck Act, which was passed in 1938, dedicated Fort Peck to navigate and to power.

My understanding of the pending bill and the meaning of the Chief of Engineer's letter, which is made law by reference in the paragraph on the Missouri River, provides that Fort Peck water shall be progressively made available for irrigation by relief as substitute storage is created. In that respect we are recapturing for irrigation some waters that had previously been dedicated to navigation.

Mr. BURDICK. The gentleman is satisfied as he stands here this afternoon that this amendment will protect the people of the West in the use of water for irrigation regardless of the condition of the river?

Mr. CASE. I am satisfied it will protect the people of the Northwest against any new uses below Sioux City. I am not satisfied that it recaptures anything that we previously gave away.

Mr. BURDICK. What is the gentleman's answer to this new innovation here, the destruction of the Department of Reclamation?

Mr. CASE. I would not concede this destroys the Bureau of Reclamation because I know by the testimony before the Flood Control Committee and by specific statements made over the signature of the Chief of Engineers and by the provisions of House Document No. 475, which is referred to in the Missouri River paragraph, that it is contemplated the Bureau of Reclamation shall operate all reclamation that may grow out of the storage or main stem, and most specifically that the Bureau of Reclamation shall develop as much irrigation as it wants to on any of the tributaries or branches of the Missouri River and that the Army engineers care nothing about it. If the gentleman desires, I can read the specific paragraph from a letter from the Chief of Engineers I received within the last week which specifically states that the Army engineers have always contemplated that this program shall be supplemented by the Bureau of Reclamation with a works program for irrigation.

Mr. BURDICK. Now, if it is satisfactory to the gentleman, I will make a few feeble remarks of my own.

Mr. CASE. I desire to express my appreciation of the gentleman's courtesy. The gentleman was asking as to the interpretation of some language.

Mr. BURDICK. I assure the gentleman I will not ask him anything more because he does not seem to know when to put in a period.

Mr. CASE. That is because of the gentleman's courtesy and generosity.

Mr. BURDICK. Mr. Chairman, if all that is true why do you want to act so hurriedly on this bill? The Reclamation Bureau has worked 5 years on a study of this situation. That report is finished but not yet printed. You have an overall plan for the development of the Missouri River. Now, why not let the Bureau of Reclamation come in and show us the findings? You will not wait for them, you want to get this done right away. Of course, if you want to pass

this kind of a bill giving title to all water over to the Government, then turn around and buy the water back from the Government, why I would not wait for any report either. I would go ahead and do it right away. I challenge anyone here to deny the fact that in this bill you are going to substitute a new scheme in place of the Bureau of Reclamation and the water we use we are going to buy this time. We have not had to buy it before.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I respectfully state again that it is not the intent of the committee nor is it the purport of the language to do anything except to recognize the Bureau of Reclamation in connection with reclamation projects. I beg leave to differ with the gentleman, to put it mildly, that there is anything else in the law. If the gentleman will permit me to say, in all reclamation projects the people who get the water pay for the use of it. The money goes to the distribution channels or somewhere else. There is nothing new in that way.

Mr. BURDICK. If the Army engineers are going to build canals and distribute water, they are going to have water to distribute, are they not?

Mr. WHITTINGTON. I may say there is no language in here that authorizes them to build canals. That is left entirely to the Secretary of the Interior. The Army engineers have nothing on earth to do with it and there is no language authorizing them to construct canals.

Mr. BURDICK. Your whole scheme of river development anticipates that.

Mr. WHITTINGTON. Anticipates what?

Mr. BURDICK. The building of canals.

Mr. WHITTINGTON. If they are to be built, they will be built by the Secretary of the Interior, not by the Corps of Engineers.

Mr. BURDICK. But the Department of Reclamation can go out and do that?

Mr. WHITTINGTON. It is intended here to recognize their function.

Mr. BURDICK. They can function but they cannot function without water, unless they can get the water from the Army engineers.

Mr. WHITTINGTON. This language in section 6 is intended to recognize and to provide for a coordination in the recognition of reclamation by the Bureau of Reclamation and the Corps of Engineers is not going to do a thing on earth except to make the water there available to them, when there is water for reclamation.

Mr. BURDICK. There are years now and then when the Missouri River is low. At the present moment the river is lower at Bismarck, N. Dak., our capital, than at any time during the last 30 years. It is at the low mark. Suppose we have a situation like that up in North Dakota and we wanted to use some of that water for irrigation, but you need it for navigation, which is going to control, irrigation or navigation, under this act?

Mr. WHITTINGTON. If the gentleman addresses that question to me I may say that the navigation provisions are in the river and harbor bill now pending in the Senate. That has previously been considered by the House. This has to do with the regulation of floods and these people down here where they are suffering now from floods, I am sure, would be delighted for you to keep all the water you could up there and to get all you can. That is what they want you to do.

If the bill goes through it means that we have divested every one of the 17 arid Western and semi-arid Western States of their power over waters of that area, and have turned the title to all waters gathered on the western plains to the United States, and hereafter if we are to be permitted to use any of these waters we shall have to get permission from the Department of the Interior and the Army engineers, and above all we shall have to pay cash for what water we get. That is a simple and effective way of stripping the States of the power under State laws; it is a simple way of making people pay for water which the Almighty sent to the people of the arid West. This committee may be in a mood to do this, but I have lived on the western plains long enough to know the value of water, and I do not propose to set the Government up in the cold-drink business and pay cash for a drink of water. The people all through the country are complaining about the weakness of Congress in passing laws that consolidate Federal powers and destroy State rights. The President is charged daily with wanting more power, but here in this case the President cannot be charged with wanting to strip the States of their power over water in the States, but it is Congress and no one else who is responsible for this immense consolidation of Federal power.

It is Congress that says today that hereafter we, in the arid West, will have to pay cash for what water we must have to maintain life. No more drastic and far-reaching power over the people was ever attempted by any Congress. When Congress gets down to controlling the necessities of life—a thing which we must have in order to live—it is a step in nationalization that no President in 150 years has ever asked for.

Judge Stone makes this important observation on the bill:

This provision would be applicable to areas west of the ninety-seventh meridian, where water heretofore has been appropriated and distributed for domestic and industrial purposes under the provisions of State law. In the 17 reclamation States when water is conserved through storage in a reservoir, it is subject to control under the State laws. Here, however, we find a new and startling Federal policy. The Corps of Engineers, having been authorized under the commerce clause to work out a plan of comprehensive development and to construct and operate projects in accordance with such plan, is apparently considered to have conserved water which thereby becomes the property and subject to the control of the United States. This water, then, under the provision of H. R. 4485, may be made available to States in the West or to legal subdivisions of those States, if such States and legal subdivisions are willing to pay the United States a rental

price for it. The Western States which heretofore have controlled the appropriation and distribution of water resources for domestic, irrigation, and industrial purposes on the theory that such resources belong to the public subject to control under State laws, must under this bill recognize in such waters the property of the United States and pay for it if it is used by such States or their citizens.

This is a radical departure from the reclamation law of 1902, as amended. Under this law the Secretary of the Interior was directed to acquire water for reclamation projects in the West which was used for domestic, irrigation, and industrial purposes, in conformity with the provisions of State law. The Federal Government financed such projects under a provision for repayment of the investment by the Government. This control under State laws has been upheld repeatedly by the Supreme Court and the Congress of the United States. The Congress is now asked to reverse this policy so far as flood-control projects constructed by the War Department are concerned, and to initiate an entirely new one whereby the Government will sell to the States the benefits of their water resources.

SECTION 6. REGULATIONS FOR THE USE OF STORAGE AVAILABLE FOR RECLAMATION OF ARID LANDS

Section 6, page 3, of H. R. 4485, provides that whenever, in the opinion of the Secretary of War and the Chief of Engineers, any dam and reservoir operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. This provision further sets out that such rates as the Secretary of the Interior may deem reasonable shall be charged for the use of such stored water used for the irrigation of arid lands.

This, indeed, is an amazing innovation and change in Federal policy. Since this provision refers to the reclamation of arid lands, its application is confined to river basins having their sources west of the ninety-seventh meridian. It is in that area where reclamation is essential to present and potential agricultural development.

Mr. CLASON. Mr. Chairman, I yield 12½ minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, at the time the gentleman from North Dakota was leaving the floor I believe he had something he wanted to add. In view of the generosity he displayed toward me I yield to him at this time.

Mr. BURDICK. Yes; I want to make a speech.

Mr. CASE. Of course, I am not going to yield all of my time to the gentleman. If he does not find a period sooner than I did, I may find it necessary to advise him that I cannot yield further.

Mr. BURDICK. On reconsideration, I have finally decided to let the gentleman speak a few minutes himself.

Mr. CURTIS. Will the gentleman yield?

Mr. CASE. I yield to the gentleman from Nebraska.

Mr. CURTIS. The gentleman from North Dakota raised a question about the allocation of water for navigation. As the Chairman very correctly stated, that is an item that appears in the river and harbor bill. It is not before the House at all in this bill. I would like to call the attention of the gentleman from

South Dakota to a portion of the testimony of Colonel Reber that I have inserted in the RECORD wherein he states that the plan for flood control, the so-called Pick plan in the Missouri River Basin, would be substantially the same regardless of how the issue in the river and harbor bill might be determined.

Mr. CASE. That is true, and it should be kept in mind during the debate on this bill. Mr. Chairman, during discussion on the bill this afternoon it has seemed there was perhaps a little confusion—I am sure there is confusion in the minds of people generally—as to the difference between an authorization and an appropriation for flood-control projects. One of the speakers referred to this bill as carrying funds for a certain project. Actually this bill does not carry funds for any project. It does not make any appropriation. It merely establishes an authorization under which appropriations may or may not be made later.

Mr. WRIGHT. Will the gentleman yield?

Mr. CASE. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. I think that was myself and I intended to correct that statement.

Mr. CASE. I did not think it was the gentleman from Pennsylvania, but in any event it seems well to make the record clear that in this bill we only set up an authorization for projects. Whether a dollar will ever be appropriated for any of these projects depends upon future legislation. Those appropriations may never equal the authorizations. They cannot exceed them except new authorizations are made.

The annual appropriation bill for the civil functions of the War Department is the bill that carries the appropriations for the authorized projects. In that annual civil functions bill we carry appropriations for authorized flood-control projects under several different heads. Some are for construction, some for plans and specifications, some for emergency repairs, and some for maintenance of completed works. We do the same with respect to authorized rivers and harbors projects.

So, let it be kept in mind that not a dollar is appropriated by the bill before us. This merely sets up an authorization for appropriations, but the actual appropriations are made by Congress in months and years to come, and then only after a presentation of specific works or units under these authorizations.

The Corps of Engineers will make up estimates annually of the projects on which they can usefully spend funds in an ensuing year. These will be examined and sifted by the Bureau of the Budget. Then the President will submit to the Appropriations Committee the estimates for the projects approved by the Bureau of the Budget. The Appropriations Committee will examine them further, and the appropriations bill will come to the House with funds for the projects it has approved. Then the House will have a chance to approve or reject, curtail or increase, but all within the limit of authorizations carried in the basic authorization bill now before us. And of course

when the House completes its action, the appropriations bill goes to the Senate.

I mention these steps to remind us all, and to make clear to those who may read the RECORD, that passage of a flood-control bill to authorize appropriations up to a certain amount is not a guaranty that certain projects will be built, and especially to make clear that abundant opportunity will be given for correlating any program herein proposed with other programs. Specifically, in the case of the program proposed herein for the Missouri River, when appropriations are made there will be an opportunity to insure that there is no overlapping and no duplication and no contradiction in projects with those of any other agency.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield to the gentleman from North Dakota.

Mr. LEMKE. If the chairman of the committee is correct that this bill has nothing to do with the distribution of water, why was this proviso put in on page 12, line 20?

Provided, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law.

Consequently, the chairman, at least, must be mistaken. He does not fully comprehend what this bill means, and if his suggestions are sincere, why object to putting amendments in this bill that will allay our apprehension of what he is attempting to do?

Mr. CASE. Probably that question should be answered by the chairman, but it would appear to me that the proviso makes clear and positive that nothing in the bill distributes any new water rights on the Missouri below Sioux City and that nothing is even to be construed as doing so.

It says as plainly as can be that nothing in the act is to be construed as giving to water users below Sioux City any water to which they are not entitled by prior authorizations. It distributes nothing to them. It reserves for use above Sioux City the water not previously authorized for projects below Sioux City but makes no distribution of this reservation, leaving that for allocation by agreement among interested parties as reservoirs are constructed from time to time and storage becomes available for distribution.

FLOODS ARE NATIONAL ENEMIES

Mr. Chairman, it is fit and proper that Congress consider this bill at this time. Floods are an enemy of the country in peace and in war. A week ago today the distinguished gentleman from Missouri [Mr. CANNON], chairman of the Appropriations Committee, took the floor and gave one of the most graphic statements of the national character of the flood problem on the Missouri River that I have ever heard. I read from the RECORD of May 2:

The Central West is being devastated by the greatest flood within the memory of man. The tide of water sweeping down the valleys of the Missouri and Mississippi Rivers and their tributaries exceeds in height and

velocity all official records since 1844—the greatest flood in the last 100 years.

It will be recalled, Mr. Chairman, that a year ago last March the Missouri River was in high flood. At that time we thought it was terrible. I remember comparing its destruction later with that wrought by brave bombers who invaded Germany and blasted holes in two great dams to engulf war plants of the enemy. Here in America 2,000,000 acres of farm lands were put under water. Factories producing war goods in Kansas City were put out of commission.

I was going west to meet Army and reclamation engineers at Pierre, S. Dak., for a conference with our Governor Sharpe on this very flood problem. I tried to fly to Omaha, but at Chicago they told me the Omaha airport was under water and would be out of use for 6 weeks.

My trip was not particularly important, but I ask you to estimate what value Hitler would have thought it would be to him if he could have sent bombers to America to knock out war factories at Kansas City and the airport at Omaha.

When the battle of the 1943 flood on the Missouri was over, the Chief of Engineers determined that more than \$47,000,000 worth of direct damage had been done. He testified before the Appropriations Committee this spring that \$3,014,000 was spent in fighting the flood and repairing broken levees, and that when it was done we had no new protection. That means the Missouri floods last year alone cost over \$50,000,000 and nothing to show for it except waste and destruction.

That was last year. Some men said it will not happen again for years and years. But it has. This year not the Omaha but the Kansas City airport was put under water, taking out of use that important air transportation center for a critical period of time. Let me read again from the statement by the gentleman from Missouri [Mr. CANNON], made just a week ago:

The Missouri River is establishing a new channel at its mouth. The confluence of these two great rivers is being moved 26 miles upstream. A new river is being opened through what was a short time ago inland fields. Through this new avenue water is rushing at the rate of 17 miles per hour. It has engulfed whole sections of the M. K. & T. Railroad and the Burlington Railroad. It has obliterated interstate highways. It has broken the pipe line which runs from Texas to New York, which has been carrying the oil without which the New England States would have endured the greatest privation. It is sweeping away the cables carrying electric current from the Keokuk Dam to metropolitan St. Louis, and steel towers supporting the transmission lines are at the bottom of the river. It has resisted all efforts to curb the current and hold the levees and railroad embankments and railway cars loaded with rock for revetment have been undermined and rolled into the river. It has destroyed light, telephone communications, and sanitary systems. So rapid has been the rise of the waters that it has been necessary to organize relief to rescue marooned families from farm homes.

The damage is conservatively estimated to be in excess of \$20,000,000, and the loss to agricultural production is incalculable. Growing fields, livestock, machinery, fences, houses, barns, and equipment have been

swept away overnight and cannot be replaced in time to produce a crop without Federal assistance in the form of both loans, grants, and priorities.

Every sentence of the gentleman's statement tells the interstate character, the national character of the flood problem.

So, Mr. Chairman, when we discuss a program to stop such destruction we are attacking an enemy of the country. Over the weekend much was made of the bombing of the Pescara Dam in Italy because of the damage the resulting flood would do to our enemy on that front. That was proper, and a good job. And when we in the House of Representatives take steps to end the floods on the Missouri River, when we here authorize the preparation of plans to stop this destruction for all time in the Missouri and other river basins of the country, we are doing a proper and important job.

AND DROUGHTS, TOO

The floods, however, are only one side of the problem we attack. The other is drought.

Up in the Northwest, in the States of Wyoming, Montana, North Dakota, and South Dakota, our interest in the Missouri does not stem so much from the damage by the floods as it does from the tragic fact that the water which creates so much havoc below Sioux City would be a lifesaver to us above Sioux City if it were stored in reservoirs so that we could use it when we need it.

Drought, too, is a national problem.

In the years from 1933 to 1937, the Federal Government expended \$56,000,000 on loans, grants, and work relief in seven North Dakota counties, all because of drought. In 1937, more than 73 percent of the population of Williams County was dependent on relief. Just across the river in the lower Yellowstone irrigation district, the relief load represented less than 5 percent of the population.

In other words, where water had been stored for use in dry years, the relief load of the Federal Government was far below the national average; in an adjoining county where the floodwaters had not been stored, the relief load was far above the national average—less than 5 percent of the people on relief where floodwaters had been stored; more than 73 percent where Old Man Flood and Old Man Drought ran on together.

THIS BILL TACKLES BOTH

The program proposed in the bill before us includes a program to end floods on the Missouri River for all time to come. Col. Lewis A. Pick, now General Pick, who was the division engineer who worked out the plan proposed, said that it is designed to put the entire flow of the Missouri River above Sioux City under control. And, realizing that the national problem did not end with simply stopping the floods, he proposed that the reservoirs be built for multiple purposes. He proposed that the waters when stored be made available for the several uses to which they might properly be applied.

That is why the language of the bill on page 12 carries these words:

plan of improvement for flood control, irrigation, power development, navigation and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 475, Seventy-eighth Congress, second session.

Discussion that has already taken place on the floor indicates how the committee proposes that waters stored under the plan proposed are to be made available to States, municipalities, and individuals for recreational, agricultural, industrial, and other beneficial use, and how water will also be made available for irrigation under such regulations as the Secretary of the Interior, acting through the Bureau of Reclamation, shall prescribe, presumably in accord with Federal reclamation practice and laws.

The Bureau of Reclamation has been working in the valley of the upper Missouri for at least 5 years. The first person I ever heard describe a detailed proposal for a comprehensive development of the water resources of the basin was Mr. W. G. Sloan, chief of the field investigation force in the Denver office of the Bureau, and now assistant regional director at Billings.

I had hoped, Mr. Chairman, that the report of the Bureau of Reclamation for application of the water proposed to be stored in the Army engineers' plan might have been completed last year and coordinated with the report embodied in the bill before us. The trip to Pierre, that I mentioned earlier, was made with that purpose in mind. Many other conferences were held on the subject. For one reason or another, however, principally a shortage of personnel, I believe, the report of the Bureau of Reclamation was not completed until a few days ago.

I have studied that report, as I have that of the Army engineers. The one supplements the other in a splendid way. Personally, I wish that both of them might be authorized at this time. There seem to be only two questions at issue, or two different points of view.

MAXIMUM FLOOD VERSUS MAXIMUM DROUGHT

One of them concerns the amount of water that can be depended upon, or, to put it another way, the amount of flood that has to be handled. The job of the Army engineers is to provide for the maximum flood; the concern of the Bureau of Reclamation is to have water to last through the longest drought or dry cycle. And looked at from this angle, it would seem that both agencies should want, and I believe they do want, the maximum possible storage on both the main stem and the tributaries of the Missouri.

The best way to get at the size of the problem is to study the records of water run-off. In flood control, obviously, the dams must be placed below the area where the water accumulates, from rain or melting snow and ice. Moreover, the nearer the reservoirs can be placed to the areas of greatest possible damage, the more certain the protection that can be given.

In 1943, the Chief of Engineers advises me, the big March flood came principally from sudden rain and melting snow in the plains of eastern Montana, North Dakota, and South Dakota. The

figures are: From Wyoming 230,000 acre-feet; from Montana 1,800,000 acre-feet; from North Dakota, 1,700,000 acre-feet; from South Dakota 1,000,000 acre-feet. The dam at Fort Peck stopped 495,000 acre-feet that would otherwise have gone into the flood and would have raised its crest at Omaha by 2.3 feet, covering a great part of the city of Council Bluffs.

A great deal of the trouble in this year's flood, way down in Missouri, was caused by the huge amount of water that came from the melting of the heaviest blanket of snow that the northwestern part of South Dakota has ever had. I saw part of it, a month ago today,

Mr. Chairman, flooding the valleys of the grand and Moreau Rivers, in South Dakota, washing out all the approaches to bridges from the headwaters of the Grand to its confluence with the Missouri, across 250 miles of northern South Dakota.

So, as I have said, an approach to the problem calls for an understanding of the volume of water with which we are dealing. And at this point, it is appropriate to insert the official tables showing the run-off on the Missouri River for as long as records are available. By permission of the House, I insert the table:

Annual run-off of Missouri and Yellowstone Rivers

Water-year ending Sept. 30	Yellowstone River intake, Montana	Missouri River, Fort Peck, Mont.	Missouri River, Williston, Mont. (near Montana-North Dakota line)	Missouri River, Mobridge, S. Dak. (near North Dakota-South Dakota line)	Missouri River, Yankton, S. Dak. (near South Dakota-Nebraska line)
	<i>Acre-feet</i>	<i>Acre-feet</i>	<i>Acre-feet</i>	<i>Acre-feet</i>	<i>Acre-feet</i>
1898.....	7,923,000	9,840,000	19,432,000	21,526,000	25,114,000
1899.....	9,757,000	10,777,000	22,501,000	23,887,000	26,192,000
1900.....	8,005,000	8,273,000	17,718,000	18,897,000	22,808,000
1901.....	6,598,000	7,257,000	14,917,000	15,949,000	19,192,000
1902.....	5,135,000	6,942,000	13,175,000	15,247,000	19,376,000
1903.....	8,415,000	7,647,000	17,315,000	18,955,000	23,974,000
1904.....	11,681,000	8,314,000	21,217,000	22,059,000	25,633,000
1905.....	8,695,000	5,451,000	14,905,000	16,756,000	21,470,000
1906.....	9,936,000	6,478,000	17,693,000	19,657,000	24,147,000
1907.....	12,805,000	10,961,000	25,204,000	27,772,000	32,603,000
1908.....	11,808,000	12,389,000	25,257,000	26,739,000	29,672,000
1909.....	13,043,000	11,843,000	26,354,000	28,530,000	32,374,000
1910.....	9,032,000	7,276,000	17,030,000	18,561,000	21,375,000
1911.....	9,660,000	7,581,000	18,111,000	18,982,000	20,835,000
1912.....	12,883,000	8,972,000	23,019,000	25,814,000	30,527,000
1913.....	12,200,000	10,569,000	24,172,000	25,732,000	28,051,000
1914.....	10,000,000	8,085,000	19,553,000	22,407,000	25,255,000
1915.....	10,000,000	8,925,000	20,103,000	22,378,000	32,274,000
1916.....	12,000,000	11,118,000	25,480,000	27,862,000	31,243,000
1917.....	13,800,000	12,643,000	28,080,000	29,253,000	32,321,000
1918.....	12,900,000	7,909,000	22,012,000	23,960,000	26,868,000
1919.....	5,530,000	4,662,000	10,776,000	11,740,000	13,419,000
1920.....	10,700,000	7,447,000	19,518,000	21,557,000	27,585,000
1921.....	9,270,000	7,007,000	17,566,000	18,727,000	21,287,000
1922.....	8,530,000	7,179,000	16,498,000	18,742,000	23,248,000
1923.....	9,386,000	7,126,000	17,499,000	19,626,000	25,647,000
1924.....	15,400,000	6,133,000	23,097,000	24,981,000	27,367,000
1925.....	12,800,000	7,358,000	21,653,000	23,341,000	26,226,000
1926.....	9,530,000	6,469,000	16,671,000	17,931,000	20,494,000
1927.....	13,600,000	10,922,000	25,828,000	28,339,000	35,483,000
1928.....	12,300,000	9,588,000	23,262,000	25,484,000	28,759,000
The following 14 years are the years that, used alone, show an "average" run-off per year of only 16,000,000 acre-feet:					
1929.....	10,400,000	5,648,000	16,900,000	19,443,000	24,321,000
1930.....	8,310,000	4,998,000	14,100,000	15,387,000	18,025,000
1931.....	6,080,000	3,937,000	9,620,000	9,443,000	11,212,000
1932.....	8,560,000	5,157,000	14,000,000	15,501,000	18,500,000
1933.....	8,280,000	5,316,000	14,200,000	14,853,000	17,600,000
1934.....	4,388,000	4,912,000	9,925,000	9,946,000	11,450,000
1935.....	6,908,000	4,120,000	11,390,000	11,950,000	14,206,000
1936.....	6,572,000	4,129,000	11,120,000	11,380,000	13,110,000
1937.....	6,958,000	3,397,000	10,460,000	11,540,000	13,780,000
1938.....	8,910,000	6,293,000	16,163,000	17,099,000	18,956,000
1939.....	6,525,000	5,284,000	13,342,000	14,616,000	16,375,000
1940.....	5,233,000	3,852,000	9,848,000	10,309,000	11,569,000
1941.....	7,275,000	3,684,000	11,239,000	12,421,000	14,440,000
1942.....	9,970,000	7,676,000	17,915,000	19,707,000	25,232,000
1943.....	13,322,000	9,609,000	24,905,000	29,204,000	30,683,000
1898-1943 (46 years):					
Mean.....	9,590,000	7,420,000	18,100,000	19,700,000	23,050,000
Maximum.....	15,400,000	12,600,000	28,100,000	29,300,000	35,500,000
Minimum.....	4,390,000	3,400,000	9,620,000	9,440,000	11,200,000

There has been some confusion about the various proposals for handling the waters of the Missouri Basin, Mr. Chairman, and that has grown out of the figures that have been used. The fears that have been expressed in behalf of reclamation have rested upon using the flow of the river for the 14-year period from 1929 to 1942, inclusive. During that period of time the average annual run-off at a point between Yankton and Sioux City has been just under 16,000,000 acre-feet of water per year. How-

ever, the record over a longer period of time, from the time that records have been kept from 1898 to 1943, inclusive, shows that the mean annual flow on the river is 23,050,000 acre-feet; in other words, 7,000,000 acre-feet more per year. That alone is enough to meet the estimated annual consumptive demand for the 4,500,000 acres of land that is susceptible to irrigation, if it is stored.

The proposal of the Army engineers is that the maximum possible storage be created in order that the water of the

wettest years be carried over into the dry years and in order that there be enough vacant storage to take care of the floods as they come. In that 14-year period upon which the fears have been built, there were only 2 years where the annual flow exceeded 20,000,000 acre-feet; but in the 31 years prior to those 14 years there were only 3 years in which the flow was less than 20,000,000 acre-feet, and 28 of the 31 years had flows of from 20,000,000 up to 35,000,000 acre-feet. In the dry 14-year period, there were 3 years in which there was only 11,000,000 acre-feet, 2 of only 13,000,000 acre-feet, and 2 of only 14,000,000 acre-feet, and only 2, as I have said, where there was more than 20,000,000 acre-feet. But in the prior 31 years there was only 1 year out of 31 where the flow was as little as 13,000,000 acre-feet, 2 were 19,000,000 acre-feet plus, and the others were all more than 20,000,000 acre-feet. The table over the long period speaks for itself, Mr. Chairman and should be carefully studied. There must be maximum storage to handle the maximum run-off and save it to get the maximum benefit in the dry cycles.

COORDINATING THE TWO REPORTS

The question of coordinating the report of the Army engineers and the Bureau of Reclamation with respect to the program of works proposed, Mr. Chairman, is also one to which I have addressed myself. It has been understood by everyone who attended the committee hearings or who has read the Chief of Engineers' recommendations that the Army engineers have expected that the Bureau of Reclamation should propose a program of works to utilize for irrigation all the water for which suitable lands could be found.

That is further confirmed by this paragraph in a letter by the Chief of Engineers, dated May 3, 1944, which says:

The Department's (War) plan for the Missouri River Basin has always contemplated that the Bureau of Reclamation would construct upstream projects for storage and distribution of irrigation water.

The occasion for that statement was my submission to the Chief of Engineers of a copy of a letter I presented to the Bureau of the Budget on the 29th of April 1944. This letter attempted to analyze the situation with respect to the reports by the two agencies, the Army engineer's report being officially before the Congress and embodied in the bill now before us, and the Reclamation report being in Washington but not then formally transmitted to the Congress. It was submitted last Friday and is now being printed as Senate Document No. 191.

Under permission granted by the House, I insert my letter to the Director of the Budget at this point:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 29, 1944.

Re Missouri River.

The Honorable HAROLD D. SMITH,
Director, Bureau of the Budget,
Washington, D. C.

MY DEAR MR. SMITH: At the time Gov. M. Q. Sharpe, chairman of the Nine States

Committee, and I met with you prior to the hearings of the House Committee on Flood Control, you expressed the conviction that the great post-war job that would rehabilitate the economic life of the Nation would be the harnessing of our rivers and development of our water resources. You expressed a very definite interest in proposals for the Missouri River Basin. You also expressed the hope, as you did in your subsequent letter to the Chief of Engineers, that the proposals of the Army engineers and Bureau of Reclamation might be intergrated.

That hope, it seems to me, can now be realized. The Bureau of Reclamation has completed its study and prepared recommendations. The Rules Committee of the House of Representatives has granted a rule for consideration of H. R. 4485, the bill reported by the Committee on Flood Control, embracing an authorization to start on the plan of control substantially in accord with the recommendations of the Chief of Engineers which, in itself, was described as "a broad framework" and purposely flexible to permit adaptation and modification.

Action at this time is urgent. Last year the floods of the Missouri caused direct damages totaling more than \$47,000,000 and cost the Treasury an additional \$3,014,000 for repairs that did not give one bit of new protection. This year, the Missouri is in flood again. Last year, Omaha's airport was under water for weeks. This year it is Kansas City's. Both years, more than a million acres of farmlands were inundated and hundreds of thousands of acres taken out of production of needed war foods.

We can have action at this time if we go ahead with the phases on which the engineers (Army) and the Bureau of Reclamation are in agreement. In every field of human endeavor progress is made by concentrating upon and starting with points in agreement. Time and developments frequently bring the solutions to the points not originally in agreement. I am reasonably familiar with the details of the proposals by both the Army engineers and Reclamation. A brief review will show that the works and program on which they are in agreement offer abundant opportunity for both agencies to get under way as soon as conditions permit. I am venturing to suggest a course of action for consideration. First, however, a quick review of what is proposed:

1. On the tributaries: There is no disagreement on works proposed for the tributaries of the Missouri. The Bureau of Reclamation suggests many more reservoirs than the Army engineers, naturally, since the latter's recommendations were made primarily in response to a resolution requesting a program for controlling floods below Sioux City. The letter of the Chief of Engineers, which by reference is made law, if H. R. 4485 becomes law as written, very definitely makes provision for additional reservoirs on the tributaries and further suggests the principle that construction and operation of tributary reservoirs should be by the agency with the dominant interest. The same principle is enunciated by the Commissioner of Reclamation. And the flexibility urged by both agencies, coupled with agreement on the principle of dominant interest for construction and operation, offer a complete solution to tributary questions.

It may be said in passing that the program of construction on the tributaries probably offers more immediate relief from flood problems and water-use problems for people over a wider area than do the proposals for storage on the main stem of the river, although the latter may serve a greater total number of people in cities along the river. In mentioning this, I do so merely to make the point that the works proposed and made possibly by the program for work on the tributaries is sufficiently important to justify getting action started now.

2. On the main stem: Here the problem breaks down into natural divisions which lead to a natural solution.

a. Randalls Island Dam: No disagreement. Both agencies recommend a dam at this point. Reclamation estimates capacity at 5,100,000 acre-feet; the Army at 6,000,000. Whether the latter is a round figure or whether there is a slight difference in measurements or in proposed elevations is immaterial unless the latter should cover a portion of the fall proposed by reclamation for a power dam at Big Bend, several miles upstream. If any question on that point, it would be resolved by the recommendations of the Federal Power Commission in the very nature of things under existing law. Hence, there is no reason why the Randalls Island Dam should not have the go-ahead the same as the tributary program.

b. Oahe to Bismarck: This stretch of the river is proposed to be covered by storage under both plans, Army and Reclamation. The sole question is whether it is to be done by one high dam at Oahe or by one dam there, somewhat lower, and by a second dam at Oak Creek upstream. Obviously if it is done by the one high dam the reservoir capacity will be greater, since it will have the benefit of the greater depth in the downstream portion below Oak Creek. The Army engineers want storage, the more the better, to accomplish the greatest possible carry-over of water from wet cycles to dry. Hence, if engineering considerations permit the high dam, the Army engineers will want that built just as much or more than does Reclamation.

The controlling engineering considerations, I believe, will be found to be the presence of satisfactory footings for the higher and, hence, heavier dam; the presence of satisfactory shoulders for abutments and spillway, if any, due to the surface presence of granite boulders and glacial drift; the feasibility of raising the highway and railroad bridges just below the Oak Creek site, which would be at the tail of the Oahe Reservoir if built to the low design. These, obviously, are matters on which engineering facts and not desires or opinions will necessarily control. Since both plans want a dam at Oahe, and since both agencies want the maximum possible storage, and since the high dam can be built under both plans, and obviously will be built if conditions permit, there is no disagreement on this sector. The high dam is clearly authorized under the language of H. R. 4485 if conditions cited permit the high dam to be built.

So, here again, there is agreement, and the authorizations should be made to permit this to get under way.

c. Gavins Point and Big Bend: These are two small dams, one above and one below Randalls Island. Neither of them conflict with anything else, and since one is proposed by the Army and one by Reclamation, why not authorize them both?

Gavin's Point would have only about 200,000 acre-feet storage, but the Army wants it for regulating purposes. Since the Army, under any plan, will have the job of regulation, and since Gavin's Point is about 100 river miles nearer the critical flood area at Sioux City, and since it is far downstream from any of Reclamation's irrigation projects, the natural solution is to let the Army's proposal stand. It will interfere with nothing else and it gives some more storage.

Big Bend would provide a little storage, too; not much because Reclamation proposes it primarily to take advantage of a freak bend in the river where cutting across a three-fourth-mile neck will give the benefit of a 21-foot fall and plus the proposed dam height create a substantial amount of firm power. Here again, this interferes with nothing. And since its construction would de-

pend upon the development of power markets and need as determined sometime in the future by the Federal Power Commission, the natural solution is to let the Bureau's proposal stand and be authorized. It adds potential benefits to the over-all plan.

d. Garrison and the North Dakota Souris diversion: Here is the one area of substantial disagreement in the two plans. The Army engineers want the large storage that can be created by a high dam at Garrison, N. Dak., some 19,000,000 acre-feet. Such a reservoir would flood a great deal of the Fort Berthold Indian Reservation, cover the Buford-Trenton irrigation project only recently completed, and prevent some proposed irrigation along the main stem of the river. Hence, the objections by Reclamation.

On the other hand, the Bureau of Reclamation wishes to divert a great deal of water from the Missouri River Basin over into the Souris Basin, and there to irrigate about a million acres in another watershed. Now whether that should be done eventually, I certainly do not know and have no basis for an opinion. It is proposed to do this by extending the canals that would be built to utilize water stored in the Fort Peck Dam, now constructed.

Both Army engineers and Reclamation propose to put some water into the Devils Lake area and then to carry it into the James River to insure a flow of that stream for the benefit of the farmers and municipal water users, having in mind that the James is a part of the Missouri Basin and that its flow returns to the Missouri. The Souris and the Cheyenne flow north into Canada eventually, although I believe it is possible from an engineering standpoint to devise works that would return any excess flow back to the Missouri.

Whichever plan is right on this point, it is not necessary to determine at this time. Certainly it is not necessary to hold up all the good and beneficial projects for the tributaries in Wyoming, Montana, North Dakota, South Dakota, Nebraska, and Kansas, until this problem of Garrison or Souris is settled. Nor is it necessary to permit floods to continue in their maximum of damage and destruction because all the other reservoirs on the main stem are held up to see what happens to Garrison.

The natural solution to this situation is to authorize the balance of the programs proposed and let this matter receive further study.

As the mechanics to accomplish what I have suggested, the following procedure might be followed:

1. Let the Reclamation report be transmitted to the Speaker by a letter from the Secretary of the Interior, incorporating a letter of recommendations by the Commissioner of Reclamation, proposing, in effect, that the program of the Bureau be approved and authorized substantially as recommended except as to the Souris diversion in North Dakota, and that a limitation be placed in the proposed authorization for the Army engineers against initiating construction of the Garrison Dam until further study by the agencies concerned produces an agreement between them and with the people of North Dakota, and that appropriations be authorized to commence the initial construction program set forth in the report.

2. A report so transmitted, and recommended by you, should be construed by the Speaker as a favorable report and as such would normally be ordered printed, given a House document number, and referred to an appropriate committee.

3. The assignment of a House document number makes the report identifiable for legislative purposes and immediate action would be accomplished if an amendment were accepted to the Missouri River para-

graph in H. R. 4485, now pending, worded, perhaps, substantially as follows:

"Provided further, That of the amount above authorized to be appropriated \$— is authorized to be appropriated to the Secretary of the Interior for the prosecution of the integrated initial construction program of water storage and utilization recommended by the Commissioner of Reclamation in House Document No. —, Seventy-eighth Congress, second session: And provided further, That none of the funds herein authorized to be appropriated shall be expended by the Secretary of War for construction of the proposed Garrison Reservoir nor by the Secretary of the Interior for construction of the proposed North Dakota division of the Missouri-Souris project pending further study and report to Congress on both projects by both agencies."

If both agencies and yourself should agree upon such a course, I believe that the Committee on Flood Control would authorize its chairman to offer such an amendment in behalf of the committee and that should insure its acceptance.

Such an amendment need not increase the total authorization of the flood-control bill. The bill proposes an authorization of \$200,000,000 against the existing Missouri flood-control authorizations of \$145,000,000 (against which \$16,000,000 has been authorized to be appropriated) and the new authorizations proposed for \$481,000,000. The Army engineers' report suggested \$130,000,000 for the first phase of construction on the new program, I believe. That could be provided with \$20,000,000 in mind for additional work on the old program and still leave \$50,000,000 which could be authorized to initiate the Bureau's construction program. It should be kept in mind, of course, that the reclamation program will be substantially advanced by some of the main stem storage and especially by the release of Fort Peck for irrigation as substitute storage is built.

The program would then be under way. It will mark an epoch in the development and growth of the United States.

Sincerely yours,

FRANCIS CASE,
Representative in Congress,
Second South Dakota District.

It will be noted that my suggestion was that the Budget Director clear the Reclamation report for transmission to Congress with the recommendation that the initial construction program of tributary dams and of distribution works for the irrigation water on tributaries and main stem be authorized, except that funds be held up for the Souris section in North Dakota in Reclamation's plan and the Garrison Dam in the Army's plan.

I left copies of this letter with the Commissioner of Reclamation and also with the Chief of Engineers. From the latter I have a letter of comment, from which the paragraph above was quoted, and, with the permission of the House, I place it in the RECORD at this point:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, May 3, 1944.

HON. FRANCIS CASE,
House of Representatives,
Washington, D. C.

MY DEAR MR. CASE: Reference is made to your recent call at this Office, at which time you left a copy of your letter to the Director, Bureau of the Budget, dated April 29, 1944, regarding the development of the water resources of the Missouri River Basin. In accordance with your request made at that time and in subsequent conversations with this office, the following comments are furnished with respect to your letter to the Budget.

The Department considers that the Garrison Reservoir is essential to the plan for flood control and other purposes in the Missouri River Basin, that it should have high priority in the order of construction of the several features of that plan, and that it cannot be eliminated or deferred without largely nullifying the benefits expected from the plan as a whole. The conclusions as to its essentiality and priority of construction are based on the following considerations:

1. The plan proposed by the Bureau of Reclamation which eliminates the Garrison Reservoir would decrease by more than 10,000,000 acre-feet the storage on the main stream of the Missouri River in North and South Dakota as proposed in the report of this Department.

As the levees along the Missouri River below Sioux City recommended by the Department are established at the maximum practicable height, their effectiveness and safety require adequate reservoir control upstream from Sioux City.

Main-stem reservoirs are most effective from the standpoint of flood control below Sioux City, and since the high dam at the Garrison site provides over two-fifths of all the main-stem storage of the War Department plan it cannot be eliminated without sacrificing flood-control benefits contemplated in that plan.

2. It is fundamental in the best use of the water of the Missouri River Basin that as much cyclic storage as possible be attained in order to conserve the stream flow as completely as possible and to prevent wastage of water during wet periods.

The high dam at Garrison makes possible a large amount of carry-over storage for irrigation diversions in that region and for stream-flow regulation.

In addition, the maximum potentialities of the other main-stem sites should also be developed if practicable from engineering and economic standpoints.

3. The Garrison project has a large silt storage reserve in which silt can be stored for many years without impairment of the reservoir's effectiveness for flood control and water conservation.

Adequate silt storage cannot be provided at any other site.

If the reservoirs below Garrison are built prior to the construction of Garrison, the silt that will collect in those downstream projects will greatly reduce their effective capacity for useful purposes.

4. The Garrison project will furnish water, by gravity flow and supplementary pumping, for irrigating large areas of irrigable land in North and South Dakota and for increasing the water supply in the Devils Lake and James River areas.

It will also be possible to pump from the Garrison Reservoir into the Souris River area if it should be desired to irrigate land in that vicinity in the future.

The land that can be irrigated from the Garrison Reservoir exceeds by many times the small amount of irrigable land inundated by the reservoir pool.

Moreover, the large amount of fertile bottom lands along the lower river that will receive substantial flood protection from Garrison and other main-stem reservoirs also exceeds by many times the land taken out of possible productive use by inundation in reservoirs.

5. Any lowering of the Garrison pool would increase the cost of pumping to the irrigable areas in the Devils Lake and James River regions and would also increase the cost of the dam because of the excessive spillway excavation that would be required.

6. Before Fort Peck Reservoir can be used for irrigation, as has been proposed by the Bureau of Reclamation, equivalent storage must be provided at downstream sites for

the benefit of navigation. In my opinion a large part of the substitute storage must be placed at the Garrison site.

7. The plan of the Bureau of Reclamation proposes a high dam at the Oahe site in place of the Oak Creek and lower Oahe projects proposed in the Department's plan, and the Bureau considers the high Oahe project as a substitute for the Garrison Reservoir.

At the present time there is not sufficient information available on the Oahe site to assure the engineering feasibility of constructing a high dam.

If the feasibility is proven by detailed investigations, it would certainly be wise to construct the largest practicable reservoir at this location, but the Oahe Reservoir cannot be substituted for the Garrison, Oak Creek, and lower Oahe projects without loss of a major part of the benefits contemplated from the latter three projects.

In summary, the Garrison Reservoir will make a material contribution toward the early flood protection of thousands of acres of rich bottom lands and important cities on the lower Missouri River; will greatly increase the cyclic storage in the Missouri Basin for all water uses; will provide substantial silt capacity; will make available water for irrigation of many times the irrigable land inundated by the reservoir, as well as for domestic water supply in the Dakotas; will be constructed upon a site that has been definitely determined as suitable for a high dam and where a low dam would be unwise because of increased spillway and pumping costs; and will be the earliest means of furnishing the substitute storage that will permit the use of Fort Peck water for irrigation and reclamation purposes.

The Department's plan for the Missouri River Basin has always contemplated that the Bureau of Reclamation would construct upstream projects for storage and distribution of irrigation water. I can see no objection to authorization at this time of such projects to supplement the authorization for this Department's work as now included in the flood-control bill provided that the plan of the Department is not restricted and that money ceilings applicable to the projects authorized and recommended are not curtailed.

Very truly yours,

E. REYBOLD,
Major General,
Chief of Engineers.

Before that letter was received, in an informal discussion of the matter with the Army engineers, I asked them about the possibility of reducing the height of the Garrison Dam. On that point, the following radiogram was received from the division engineer, General Crawford, relayed through the office of the Chief of Engineers here in Washington:

MISSOURI RIVER DIVISION,
Omaha, Nebr., May 2.

Retelpon., Beard to Slichter, May 2, relative to height and capacity of Garrison Reservoir. Presently proposed height of Garrison Dam 210 feet above stream bed and capacity at normal water-surface elevation 1,850 is 23,000,000 acre-feet according to reservoir survey completed subsequent to submission of the division engineer's report on Missouri River. Irrigable area at downstream end of proposed Nesson irrigation project is about elevation 1,800. To prevent flooding this land by reservoir would require lowering of normal pool to elevation 1,790. This would reduce the height of dam to 150 feet and the reservoir capacity to about 7,000,000 acre-feet and completely destroy usefulness of the Garrison Reservoir as a multiple-purpose project.

CRAWFORD.

PLANS SUPPLEMENT EACH OTHER

In the face of the information and engineer's opinion set forth in the letter and this statement, I have concluded not to offer any amendment at this time to propose the joint authorization, realizing that it can still be done in the Senate if that is deemed wise. Or, it may be concluded by all interested that a separate authorization bill for the Reclamation's part in the program will be best.

It will be clear, however, from this record, that there is no objection by the Army engineers to the program of Reclamation for handling irrigation water and for constructing and operating irrigation works.

There is no basic conflict between the two programs. One supplements the other, and—speaking from the national viewpoint—neither solves the national problem without the other.

The situation is accurately described by Budget Director Smith in a letter which, I understand, he has addressed to the chairman of the Committee on Flood Control, under date of April 27, 1944, which says:

The opening language of section 7 will allow sufficient time before the actual initiation of construction of any of the projects to permit completion of the necessary related investigations and initiation of any supplemental legislation.

In closing, Mr. Chairman, I desire to repeat what I said in my letter to the Director of the Budget.

In every field of human endeavor progress is made by concentrating upon and starting with the points in agreement. Time and developments frequently bring solutions to points not originally in agreement. Action at this time is urgent.

We can have action at this time. There is no disagreement on works proposed for the tributaries. There is no substantial disagreement on the dams proposed for the main stem of the river except as to Garrison, and on this the letter of the Chief of Engineers states the situation. Its construction will be the earliest means of furnishing substitute storage that will permit the use of Fort Peck water for irrigation and reclamation purposes in both Montana and North Dakota. And, as the Chief of Engineer says:

The maximum potentialities of the other main stem sites should also be developed if practicable from engineering and economic standpoints—

Including the Oahe, of which he specifically says:

If the feasibility is proven by detailed investigations, it would certainly be wise to construct the largest practicable reservoir at this location.

Authorization of the Army's program at this time is basic. It should be supplemented with an authorization for the program proposed by Reclamation. The maximum possible storage of water should be constructed on the main stem and also on the tributaries. Floods will be stopped on the lower Missouri and protection will be given the upper basin against prolonged drought.

The inauguration of this program for the Missouri Valley, Mr. Chairman, will mark an epoch in the development and growth of the United States.

(Mr. CASE asked and was given permission to extend his remarks in the RECORD.)

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. ZIMMERMAN].

(Mr. ZIMMERMAN asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. ZIMMERMAN. Mr. Chairman, I strongly favor and urge the passage of this bill. The great flood that originated on the upper Missouri—one of the largest and most destructive floods in our country's history—that has just passed down the Missouri Valley and is now passing down the lower Mississippi to the Gulf, emphasizes the dire necessity and importance of passing this legislation at this time.

The tragedy of the whole situation is that we did not take action sooner. The present flood disaster, and the one we suffered in 1943, have not only brought severe suffering, misery, and irreparable damage to our civilian population in these flooded areas, but they have seriously impaired our war effort at one of the most critical times in our Nation's history.

Our flood-control program in recent years, to which I made reference earlier in this debate, has demonstrated to a certainty that we can control the floods on our great rivers as we have successfully done on the lower Mississippi, and protect the food basket of our Nation in the years to come.

The people of the Tenth Congressional District of Missouri, which I have the honor to represent, are vitally interested in the flood-control program authorized by this bill, commonly referred to as the "Pick plan." I have carefully read the two-volume report of the hearings held on this bill, and I am convinced that if this bill is passed and the program authorized by it is carried out, the Missouri River Valley and the upper Mississippi Valley will never again suffer the flood disasters of this and last year.

I refer to the Missouri and Mississippi Rivers because they are the streams that provoke concern for the people in my section of the State of Missouri. The Mississippi River flanks the eastern boundary of the Tenth Congressional District of Missouri which extends from Cape Girardeau County south to the Arkansas line. That part of our district south of Cape Girardeau County is known as the alluvial or delta section of the valley, and is embraced in that stretch of the river known as the lower Mississippi. That portion of our district did not suffer greatly from the flood of 1943 or the flood that is now raging past our borders, thanks for the splendid job our Army engineers have done for the lower Mississippi.

In Cape Girardeau, however, the people did not fare so well in 1943 and during the passing of this present flood, which caused great damage to extensive farm lands and to homes, business houses, and industries in the beautiful and progressive city of Cape Girardeau.

Mr. Chairman, what has been done by this Government for the lower Missis-

issippi Valley can be done for the rich Missouri Valley and other tributary streams of the Missouri and Mississippi Rivers, and the time has come when we can no longer afford to hazard these rich valleys and the progressive, enterprising cities located therein to the harrowing experiences through which they have just passed. The improvements proposed and authorized by this bill are economically justified by our Army engineers, and to longer delay these improvements would be to pursue a policy of penny wise and pound foolish.

Mr. Chairman, if I had time today I would like to discuss the importance of navigation on the Mississippi River and its tributaries to our future security and prosperity. During the progress of this war we all know the important role our inland waterways have played in transporting goods and materials necessary for out civilian needs and for the war effort. But for these great arteries of commerce our transportation facilities would have been overtaxed and unable to meet the needs demanded of them. I do, however, call your attention to the very able and timely statement of the gentleman from Mississippi, Chairman WHITTINGTON, on this phase of the program provided for in this bill.

We should pass this bill without delay and clear the way for a program which will bring security, protection, and prosperity to the people in these great valleys. I am glad to take this occasion to again express my appreciation of the splendid leadership of the gentleman from Mississippi, Chairman WHITTINGTON, has given our country in working out a comprehensive flood-control program and for the faithful, constructive work of the Committee on Flood Control, upon which committee I had the honor to serve with the chairman for 4 years.

Mr. WHITTINGTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. FISHER].

(Mr. FISHER asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. FISHER. Mr. Chairman, the flood-control bill now before the House includes provisions for eight soil-conservation projects in flood-control watershed areas, one of which happens to be in the district I represent. Those projects are supported by comprehensive surveys made by the Soil Conservation Service in the Department of Agriculture. They are made to integrate with and to implement established flood-control projects already authorized, and, as required by law, have been reviewed by and correlated with the plans of the Corps of Engineers.

Since soil-conservation practices are recognized as having a direct and important relationship to the problem of flood control, I should like to discuss that particular phase of the legislation before us.

When we realize that there are in this country today 2,000 reservoirs, some large and some small, that are completely filled with silt that has been washed down from the upstream watersheds, coupled with the fact that other thousands of reservoirs are being filled

that way as time goes on, the importance of trying to control that silt at its source becomes self-evident.

It is the problem of scientific soil-conservation practices to prevent as much of that waste of soil and water as possible. In that way, such practices contribute directly to the solution of the problems of flood control and flood prevention.

As a matter of fact, on some of the smaller streams the Soil Conservation Service has been able to completely solve the flood-water problem which had previously existed. Dr. Hugh H. Bennett, head of the Soil Conservation Service, with his very able assistant, Mr. J. C. Dykes, have in recent years directed many very interesting and successful surveys and experiments which serve to show the influence that certain soil conserving practices may have on the ultimate problem of flood control.

When Dr. Bennett appeared before our committee, he told an interesting and true story of how, by the use of scientific soil-conservation practices, floods have been prevented on a stream in the State of Washington. There have been no overflows in the South Palouse River there for the past 7 years, whereas before the conservation job was carried out over a large watershed area above the town of Pullman, that stream overflowed each year. That stream, like thousands of others over the country, had been going dry in late summer each year for 25 years. During that time an occasional flood would cause the stream to overflow, and on occasions the floodwaters caused considerable property damage in the business section of the town of Pullman.

But the farmers in the watershed area cooperated in a variety of conservation-work practices. At first, 10,000 acres, subject to severe erosion, were planted in water-holding and soil-building vegetation, including grasses and legumes. In addition, much land was terraced and contour cultivation was put into use. Much of the overgrazing was deferred.

That combined activity on the part of those farmers has changed that stream from practically a dead stream, in late summer, to a perennially flowing stream for 7 successive years. During those 7 years the South Palouse has not gone over its banks, and this year for the seventh successive year it has continued to run all through the summer, according to Dr. Bennett.

Other examples were cited, but this example serves to illustrate what can be done with this type of work in the way of helping to prevent rather than controlling floodwaters. What was accomplished in the cooperative effort at Pullman can and should be undertaken in hundreds of localities.

Mr. Chairman, we need to give more and more attention to the importance of going back up to where the water falls as rain and there working with nature, instead of against her, and there retaining and using the maximum possible amount of that rainfall and making of it a blessing instead of a curse.

We build dams and dikes in the lower streams, as indeed we must do, but because we do not do more, in an effort to

retain more of the rainfall at its source, nature rebels against us. The floodwaters sweep with all their fury against the man-built dams and tremendous damage often results from the overflows.

To be sure, soil-conservation practices at their best will not solve the flood problems. But we should not be content with just building dams and dikes. We should go up those streams and examine the terrain and determine why so much of the rainfall is escaping from the area where it falls and why so much of the topsoil is being washed downstream.

Mr. Chairman, at this point and while I am on the general subject, I want to briefly discuss the value of our soil from the standpoint of our national wealth and how for 300 years we have been abusing and misusing much of it.

We have around 2,000,000,000 acres of land in this country. That soil certainly constitutes our most irreplaceable and important natural resource. It is the most indispensable natural resource that we have any control over. It is too valuable to be wasted if that waste can be prevented. All through history the strength and character of a people have gone up or down with the soil. The worth of land is in the few inches of topsoil that it has taken nature thousands of years to build up. Once that topsoil is washed away and gone it is gone forever. A nation with poor soil is a poor nation. We simply cannot afford not to hold on to that soil to the limit of our ability.

Because we have not been careful in the past and have often indulged in overgrazing, over-cropping and misuse of our lands, erosion of the soil by wind and water has cut deeply into its natural value and productivity, and to that extent has effected the wealth and economic security of the entire Nation.

Already, Mr. Chairman, it is estimated that the topsoil has been stripped from 282,000,000 acres, which is about 15 percent of our land area. And that same soil is being daily blown and washed from 775,000,000 other acres.

About 3,000,000,000 tons of topsoil are washed or blown away each year. That soil if spread 12 inches thick would cover one and one-half million acres every 12 months, as Dr. Bennett has pointed out.

Every year about half a million acres of land are being ruined or vary seriously damaged by wind and water erosion brought on by improper land-use practices.

We have left in this country about 462,000,000 acres of really good farmland, of which 342,000,000 acres are now under cultivation. Of that 342,000,000 acres now being tilled, only 62,000,000 acres are not subject to erosion and, therefore, do not need constant care and treatment.

There is much consolation in the fact that in recent years farmers and ranchmen have become quite conscious of the problem I have described. The Federal Government first entered this field of activity in 1929 and since then much progress has been made.

As evidence of that progress, Mr. Chairman, I might point out that there are today 1,000 soil-conservation districts in 45 States, each district being organ-

ized as a governmental unit and operated and controlled by local citizens. Those districts include 570,000,000 acres, and 2,563,695 farms and ranches participate.

But much remains to be done. Indeed, it has been estimated that 90 percent of the job remains to be done. In the United States there are, according to the S. C. S., 200,000,000 gullies caused by erosion that are deep enough to prevent agricultural machines from crossing, and which were not here when the land was in its virgin condition.

Mr. Chairman, no nation can be strong and rich long without a productive soil. We as an intelligent people simply cannot afford to go on losing our most precious and valuable resource. Much progress has been made in conservation practices and the future is encouraging. But in my judgment the subject is so important that it needs to be emphasized.

We build guns and planes and tanks for defense against our foreign enemies. In our own country, flood control, through dams, dikes, levies, and sound soil conservation, constitute our best defense against internal weakness and insecurity.

Mr. WHITTINGTON. Mr. Chairman, I yield 8 minutes to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I believe this bill, H. R. 4485, to be one of the most important pieces of legislation that will come before this House for a long time. The benefits and protections carried in this bill will be of benefit throughout all the United States.

My State of California has a number of flood conditions, although generally speaking, when one speaks of California, the question is asked, "Why, does it ever rain there?" Because California lies along the coast line and has a high mountain area, there are tremendous storms at short intervals, and on many occasions great damage is done throughout the whole State, from the northern end to the southern end. So the committee, after 2 years of extensive hearings, with testimony being offered by various groups coming from California, the Bureau of Reclamation, and the Corps of Army Engineers, have tried to place in these bills the projects in California that would be considered to be flood-control projects. Among them are the following:

The San Diego River Basin project is authorized at an estimated cost of \$370,000.

Ventura River Basin, \$1,600,000.

Santa Ana River Basin, \$10,000,000.

Los Angeles-San Gabriel Basin and Ballona Creek, \$25,000,000.

Sacramento-San Joaquin River Basin, \$46,056,000, of which amount the expenditure of \$15,000,000 is authorized in this bill.

The San Joaquin River contains several projects:

Kern River, \$6,800,000.

Kaweah and Tule Rivers, in the San Joaquin Valley, in accordance with the recommendations of the Army engineers, \$4,600,000.

There is authorized \$19,700,000 for the project for flood control and other

purposes for the Kings River in California, which destroys in flood years 125,000 acres or more at a time on account of the tremendous run-off.

There is authorized for local flood protection on various streams in the Merced County stream group \$1,300,000.

On the Lower San Joaquin River and tributaries there is authorized to be expended \$8,000,000.

The program on the Los Angeles River watershed is authorized, at a cost of \$8,-380,000.

Over \$90,000,000 of construction is authorized in this bill for the State of California. There are one or two other stream groups that were not included in this bill owing to the fact that reports were not available on them at the time the bill was being drafted, but after this bill passes the House we intend to see that amendments with regard to them are offered in the Senate, rather than offer the amendments to the bill at this time.

During the many days we sat in hearings in the past 2 years on these matters, every opportunity was given everyone who wanted to appear before the committee. The effort was to take care of the desires and needs of everybody. At the same time, inasmuch as this is a post-war bill, I, speaking as one member of the Committee on Flood Control, feel that just as soon as manpower is available, construction should start on all these flood-control items throughout the United States. Hardly a week goes by but that you read in the paper of destruction caused by floods, so I think this is one of the emergencies of our Nation. I do not look at this expenditure as money wasted. I think it will return to the Federal Government many, many times more than the amount of money carried in this authorization bill for flood control throughout the United States.

Mr. WHITTINGTON. Mr. Chairman, I yield 4 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I had in mind offering an amendment some place in the latter part of the bill to include one flood-control item vitally needed in northern Arizona. I refer to a proposed levee on the Little Colorado at Holbrook, Ariz. Like the gentleman from California, we did not have a complete report on this project, so I am hopeful that it may be added in the Senate if proper clearance is had. It is a meritorious item which would not run into such a large appropriation as some in our neighboring State.

The Little Colorado is a very treacherous stream. Early settlers along it showed great courage in trying to handle it. Of late years disastrous floods have occurred at Holbrook and loss of life has occurred there. It seems to me that it is of such a vital need at this moment that its construction should not be delayed.

Mr. HARLESS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to my colleague the gentleman from Arizona, who is very well acquainted with the courageous spirit of the pioneers who settled along that river.

Mr. HARLESS of Arizona. The gentleman says that there has been considerable loss of life and property on that river. Does the gentleman know why nothing has been done heretofore on that project?

Mr. MURDOCK. Let me say that much has been done on this project, but it is not seen because it has not been carried to completion. This is one of a half dozen streams in Arizona we got surveyed some years ago. I will not have time to answer the question fully, but I may say that the Army engineers have surveyed the Little Colorado and have made their recommendations. In this particular case the matter was sent to the Bureau of Reclamation, as well as the Bureau of the Budget, and their reply has been somewhat delayed. Just a moment ago I spoke to the Commissioner of Reclamation, Mr. Bashore, over the phone, and he pointed out to me that while there were some possible reclamation projects along this stream, both above and below, those reclamation projects would in nowise interfere with the building of a levee for the protection of the town of Holbrook. Of course, I feel that in due course his report will be favorable. I hope to hurry it along.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I will say to the gentleman that the reason his project was not included is that no report had been submitted to the Congress and referred to the committee covering that project. It is to the credit of all the projects that the Bureau of Reclamation has the privilege of reviewing and criticizing any report on flood control, just as indicated by the gentleman's conference with the Commissioner, so that Congress can have the benefit of the views of both the Bureau of Reclamation and the Corps of Engineers.

Mr. MURDOCK. I am glad to hear the chairman say that and to know that it is the practice. In the intermountain region the control of streams for irrigation is most vital and should have first consideration.

There are other projects such as the building of a dam on the Bill Williams at the Alamo site which should be authorized in this bill but it does involve reclamation. I might mention others, such as a dam on the San Pedro, at the old Charleston site badly needed for several reasons besides flood control. I hope that all of these meritorious flood-control projects can be finally and totally approved. Of course, I will say further to my colleague from Arizona, they must be submitted to the Bureau of the Budget for its approval, and that follows in point of time the surveys made by the Army Engineers.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I yield the remainder of the time to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I used to be a member of the Committee on Flood Control and I would like to join with the other Members who have paid tribute to the chairman of that committee for the efficiency with which he conducts it and the job he has done generally in connection with this very important field of legislation. In this bill there are included certain items which have a very vital bearing on the welfare of my own section of the United States. Those items are on page 19 of the bill, the Santa Ana River Basin and the Los Angeles-San Gabriel Basin in California. As I understand it, these items will provide for the continuance of the flood-control programs already begun in that area as soon as possible. I only wish it were possible at this moment to complete at least one structure there, namely, the Santa Fe Dam, so that its potentiality for reducing flood hazards could be realized at the present time instead of it being left in a stage of partial completion. I earnestly ask all possible help from other Members in making possible the installation of gates on that dam and its completion as soon as possible because it affects vitally the lives of many people. The only purpose of my asking for this time, however, was to express and urge support for the necessity of this flood-control program and to say that in Southern California, although our rivers do not exactly provide sufficient water for large steamers to come up to inland points, there are times when our flood danger is very, very great indeed, because we have large populations living right at the foot of a very steep mountain range and they are subject to flash floods which in their destructive character are quite as bad as floods afflicting other parts of the Nation.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. WHITTINGTON. The gentleman remarked quite truly that flood control is a national problem and that while types of floods may differ, they occur in every part of our common country, as he has indicated, and it may not be generally known, the Government of the United States has probably expended more to protect the Los Angeles area than almost any other area of this size anywhere in the United States, and deservedly so, because the population and property to be protected out there are concentrated.

Mr. VOORHIS of California. Mr. Chairman, I am much obliged to the gentleman from Mississippi. I had hoped he would add that last remark, because naturally some of us feel there is unusual justification for the protection of that area.

The CHAIRMAN. The time of the gentleman from California has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the words "flood control" as used in section 1 of the act of June 22, 1936, shall be construed to include channel and major drainage improvements, and that hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes

shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by act of Congress.

Mr. WHITTINGTON. Mr. Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly the Committee rose; and, the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill H. R. 4485, had come to no resolution thereon.

SELECT COMMITTEE TO INVESTIGATE SEIZURE OF MONTGOMERY WARD & CO.

The SPEAKER. Pursuant to the provisions of House Resolution 521, Seventy-eighth Congress, the Chair appoints as members of the Select Committee to Investigate the Seizure by the United States, on April 26, 1944, of property of Montgomery Ward & Co., the following Members of the House: Mr. RAMSPECK, the chairman, Mr. CLARK, Mr. BYRNE, Mr. MONRONEY, Mr. DEWEY, Mr. ELSTON of Ohio, and Mr. CURTIS.

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. SIMPSON] may have leave to extend his remarks in the RECORD and to include two editorials, one from the Pike County Republican and the other from the Calhoun News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matters referred to appear in the Appendix.]

Mr. CLASON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BROWN] have leave to extend his remarks in the RECORD and to include an article by Mark Sullivan in the Washington Post of Monday, May 8.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. CLASON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ANDERSON] have leave to extend his remarks in the RECORD, with permission to include a copy of a telegram which he sent to Mr. William Davis, Chairman of the National War Labor Board.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. CLASON. Mr. Speaker, on behalf of the gentleman from Connecticut [Mr.

MILLER], I ask unanimous consent that he be permitted to yield back the 15 minutes which were granted him under special orders for today and that he be granted 15 minutes tomorrow at the conclusion of the last special order now on the record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent that I may revise and extend the remarks I made in the Committee of the Whole today and include therein certain excerpts and quotations and other material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee this afternoon and to include therein certain tables, letters, and other data relative to the projects under discussion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent that I may extend in the Appendix of the RECORD Public Law No. 138 of the Seventy-eighth Congress, and, following that, an article from the Toledo Blade, of Toledo, Ohio, under the heading "No flood at Reno."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[The matter referred to appears in the Appendix.]

CORRECTION OF RECORD

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to correct the RECORD. In my speech in the RECORD for April 25, at page 3771, in the first paragraph, under the heading "Finance, the mother of monopoly," the last sentence reads, "At this moment it is seeking to enlarge that control by buying up the stock of the Bank of America in southern California." The words "Bank of America" are incorrect. It should read "Citizens Bank" instead of "Bank of America."

I ask unanimous consent that the RECORD be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PETROLEUM AND AMERICA'S FUTURE

The SPEAKER. Under previous order of the House the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

Mr. VOORHIS of California. Mr. Speaker, in the Washington Sunday Star for April 23 there appeared a very excellent article on the editorial page written by Richard L. Stokes. It was entitled "Near East Oil Pot Boils." In the course of this article, Mr. Stokes, in discussing various attitudes toward the proposed near eastern pipe line, wrote the following significant paragraphs:

Another school of opinion contributed the notion that the day has come when the

American people will have to reconsider some ancient terms of opprobrium, such as "imperialism," "dollar diplomacy," and "cartelism." As an instance of a reform that backfired, these observers cite Theodore Roosevelt's trust-busting of Standard Oil.

According to their view, his "big stick" broke up the only American unit capable of holding its own in the savage jungle of international competition.

Now, Mr. Speaker, I want to say in the first place that I for one do not believe that the day has come when the American people have to abandon the hope that our economic life can be carried on under circumstances offering hope and opportunity to the small man, free of the domination of a handful of giant financial and industrial corporations. But I cannot blind myself to the fact that Mr. Stokes is probably correct that the school of opinion which he outlines is present in our country and possibly gaining strength and influence. I suppose a time of war like the present inevitably has that result.

The first thing I have to say today therefore in introducing a speech upon the question of oil is that there are certain very far-reaching implications involved for the future of our governmental policy, should the school of opinion to which Mr. Stokes refers have its way. Other nations have passed through this same stage of development. Particularly has Great Britain done so. Britain's solution has been, roughly, to accept monopolies and then to do the next best thing, namely, to assert the essential public interest in any field of industry which is monopolized by having the government itself either exercise stringent regulation or actually purchase an interest in the enterprise. The latter method has been adopted by the British with regard to companies owning rich oil resources outside of the British Empire. The Anglo-Iranian Oil Co., the largest of all these enterprises, has for the last 30 years had a majority of its stock owned by the British Government. In turn the Anglo-Iranian Oil Co. owns approximately a quarter of the stock of the Iraq Petroleum Co. which controls a number of important oil fields in the Near East. The British Government's original investment in the Anglo-Iranian Oil Co. has increased thirteenfold in value. Dividends at an average rate of 15 percent per year have been realized, and the original investment has been returned to the British people five times over. These figures are too significant to be overlooked. Corresponding action by the American Government in case we must throw up the sponge in attempting to escape the shackles of monopoly upon our industries would have a very significant effect so far as the repayment of our huge national debt is concerned.

More important still, however, is the question of economic power during the next 50 years. In my judgment, people who say that our Government should underwrite all the risks and pay the costs of the most hazardous parts of these undertakings, which certainly the Middle Eastern pipe line is, are really advocating that the American people must underwrite private interests around the

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DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued May 10, 1944, for actions of Tuesday, May 9, 1944)

(For staff of the Department only)

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HOUSE

1. FLOOD CONTROL. Passed with amendments H. R. 4485, the Whittington omnibus flood control bill (pp. 4281-314). Agreed to several amendments authorizing preliminary examinations and surveys of Choctawhatchee River, Fla.; Deep Red Run, Little Elk Creek, Salt Fork, Elm Creek, Saddle Mountain, and Turkey Creek, Okla.; Susquehanna River, N.Y.; Grand and Moreau Rivers, S.Dak.; and the Hocking River, Ohio (pp. 4310-3). Rep. Hagen, Minn., discussed flood damage to farm lands and urged passage of this bill (pp. 4310-1). Reps. Rankin and Whittington, Miss., Gore, Pa., Kefauver, Tenn., Miller, Conn., Jackson, Wash., and others discussed the effect of this bill upon TVA operations (pp. 4284-91, 4312-3, 4319-21).
2. RATIONING; FOOD ADMINISTRATION. Rep. Jenkins, Ohio, criticized the rationing administration and urged centralization of food administration under one head (pp. 4281-2).
3. FARM SECURITY. The Cooley Committee submitted a report pursuant to H.Res.119, authorizing an investigation of FSA (H.Rept. 1430) (p. 4324).
4. RABBITS. Agriculture Committee reported without amendment H. R. 4404, to transfer Government activities in connection with domestic rabbits to this Department (H. Rept. 1431) (4324).
5. DEBT LIMIT. Ways and Means Committee reported with amendment H. R. 4464, to increase the U. S. debt limit (H. Rept. 1429) (p. 4324).
6. FLOOD RELIEF; APPROPRIATIONS. Received from the President a proposed provision to continue until June 30, 1945, the availability of the \$15,000,000 flood-relief appropriation in the Second Deficiency Appropriation Act (Public Law 140, 78th Cong.) (H.Doc. 577). To Appropriations Committee. (p. 4324.)

SENATE

7. EXPORTS. Military Affairs Committee reported with amendments S. 1826, to amend Sec. 6 of the act of July 2, 1940, relating to the exportation of certain commodities, and to continue the act in effect (S. Rept. 865) (p. 4255).
8. NOMINATION. Public Lands and Surveys Committee reported favorably the nomination of Clarence L. Forsling to be Director of Grazing, Interior Department (pp. 4526-7). Sen. McCarran, Nev., discussed the nomination (pp. 4256-7).
9. PRICE CONTROL. Sen. Bankhead, Ala., submitted two amendments which he intends to propose to H. R. 4647, to extend the Emergency Price Control Act (p. 4257).
10. FLOOD CONTROL. Received the War Department's review of reports on the Red River of the North, Minn. and N. Dak., with respect to flood control on the Sheyenne River (S. Doc. 193) (p. 4258).
11. LEND-LEASE. Sen. Butler, Nebr., discussed lend-lease expenditures in Latin-America (p. 4258).

BILLS INTRODUCED

12. TRANSPORTATION. By Rep. Priest, Tenn., H. R. 4776, to amend the Transportation Act of 1940 so as to extend for 4 years the life of the Board of Investigation and Research, established by section 301 of such act. To Interstate and Foreign Commerce Committee. (p. 4324.)
13. SCHOOL-LUNCH PROGRAM. By Rep. Outland, Calif., H. R. 4777, to assist the State to establish and maintain school-lunch programs. To the Education Committee. (p. 4324.) Remarks of author (p. 4280).
14. SURPLUS COMMODITIES; APPROPRIATIONS. By Rep. Murray, Wisc., H. R. 4781, to provide for making available, until expended, sums appropriated pursuant to section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935. To Agriculture Committee. (p. 4324.)

ITEMS IN APPENDIX

15. HOUSING. Speech in the House by Rep. Dirksen, Ill., urging liquidation of HOLC and including a letter to him and a news release on this subject (pp. A2401-2).
16. A.A.A.; R.E.A.; S.C.S. Speech in the House by Sen. Thomas, Okla., commending these and other New Deal agencies (pp. A2402-3).
17. LEGISLATION. Extension of remarks of Sen. Barkley, Ky., including a "digest of legislation enacted" by the 78th Cong., 1st session (pp. A2403-6).
18. TAXATION. Extension of remarks of Rep. Hagen, Minn., commending passage of H. R. 4646, providing for a simplified income tax (pp. A2423-4).
19. T.V.A. Rep. Priest, Tenn., inserted a book review of Chairman Lilienthal's book, T.V.A. -- Democracy on the March (p. A2425).
Speech in the House by Rep. Sabath, Ill., including a Chicago Times editorial, commending TVA and discussing Chairman Lilienthal's book (pp. A2434-5).

marks in the RECORD and include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article by Constantine Brown entitled "This Changing World," that appeared in the Washington Evening Star of May 6, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[The matter referred to appears in the Appendix.]

THE LATE THOMAS H. BALL

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMAS of Texas. Mr. Speaker, I desire to announce to the House the passing on yesterday of a distinguished Texan, a former Member of this House, Col. Thomas H. Ball, of Houston. Colonel Ball was 85 years old when he passed away. He lived a long and useful life. Not only has the State of Texas lost one of its outstanding citizens but the Nation has suffered a loss. Colonel Ball served in the House from 1897 to 1903. This short sketch of his life indicates his outstanding and various talents:

Thomas Henry Ball, a Representative from Texas; born in Huntsville, Walker County, Tex., January 14, 1859; attended private schools and was graduated from Austin College, Sherman, Tex., in 1876; studied law at the University of Virginia at Charlottesville, Va.; was admitted to the bar in 1886, and commenced practice in Huntsville, Tex.; mayor of Huntsville, 1887-93; chairman of the Democratic executive committee of Walker County, 1884-96; delegate to all State conventions from 1886 to 1924 with three exceptions; delegate to the Democratic National Convention at Chicago in 1892, and at New York City in 1924; elected as a Democrat to the Fifty-fifth, Fifty-sixth, Fifty-seventh, and Fifty-eighth Congresses and served from March 4, 1897, to November 16, 1903, when he resigned; resumed the practice of his profession; general counsel for the State council of defense during the World War; was employed as general counsel for the port commission of the Houston harbor and ship channel, and was a resident of Houston, Tex.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects and include therein certain statements and excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to include in the remarks I intend to make today excerpts from two editorials.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

Mr. WHITTINGTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for further consideration of the bill H. R. 4485, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

SEC. 2. That section 3 of the act approved June 22, 1936 (Public, No. 738, 74th Cong.), as amended by section 2 of the act approved June 28, 1938 (Public, No. 761, 75th Cong.), shall apply to all works authorized in this act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire 5 years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished.

Mr. JENKINS. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Chairman, there is a growing conviction among a large part of our population, as well as a good many Members of Congress, that the administration is playing politics with food. Either this is true or a top-heavy bureaucracy is responsible for the delays that have taken place in removing canned vegetables and meats from rationing.

During last December and January it is reported that both the Office of Price Administration and a large trade association made a careful survey of the quantities of home-canned goods on pantry shelves and the quantities on the retailers' shelves throughout the country. It was known at that time that cannery warehouses were filled to overflowing with last year's packs, particularly of canned vegetables. There is no known reason why rationing of these canned goods should not have been discontinued at that time.

Similarly, governmental authorities knew many months ago just what the supply situation of livestock was. So far

as I have been able to ascertain, there has been no marked change in the supply situation of livestock between January 1 and the present time. On the contrary, information I have been able to obtain indicates that January slaughtering was at its peak. The question naturally arises, Why was meat rationing not lifted at that time? It should have been done.

An article appearing in Collier's magazine of May 6, 1944, written by Mr. Chester Bowles, Administrator of the Office of Price Administration, raises a very peculiar situation. This article was published a week after the order was issued removing most meats and canned vegetables from rationing. In this article Mr. Bowles stated that there would be some relief of meat rationing "in 1945—with luck—and possibly end when the war in Europe is over," and that rationing of processed foods would not cease until "the war in the Pacific ends." Yet 1 week before his statement appeared he issued an order removing most meats and canned vegetables from all rationing restrictions. The Office of Price Administration should completely remove all ration restrictions on steaks and roasts of beef now. It should have been done last January.

Let me ask what can be the reason for these inconsistent statements and these inconsistent orders. Is it possible that Mr. Bowles is only a figurehead and that there is a hidden power to which he must respond? If so, who is it and what is it? This is convincing proof that someone is responsible for playing politics with our food supply.

Several months ago the Republican Congressional Food Study Committee advocated openly and publicly that the administration of all food activities should be centered in one administrative agency.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. Yes. I am glad to yield to my colleague and neighbor.

Mr. BREHM. I feel confident that if the gentleman's suggestion had been followed and the food authority had been put under one head that there would not now be spoiling so many thousand pounds of butter, cheese, and other food. I trust that those responsible for the food administration may yet follow the suggestions of the gentleman from Ohio.

Mr. JENKINS. The gentleman's observation is very timely and quite in point.

The Committee on Agriculture of the House of Representatives agreed with the Republican Congressional Food Study Committee and reported favorably a bill which had been introduced by the gentleman from South Carolina. Representative FULMER, who is the chairman of that committee. The sentiment of the country was then, and is now, overwhelmingly favorable to the enactment of this legislation. The legislation would have been enacted except for administration opposition.

I am informed that the War Food Administration release of May 4 indicates that it did not even know that these items were to be eliminated from the ration list

on May 1. Where is the hidden power in Government that is responsible for playing politics with our food supply?

In other words, on May 1 there came out a release from the War Food Administration which indicated that the Administration knew nothing about an order that had been issued on the 1st of May. So I repeat there can be no question but that this whole food program is being administered by some organization or individual or power which is anonymous and which issues orders to Mr. Bowles and Mr. Jones.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JENKINS. Yes. I am glad to yield to the distinguished gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I am glad the gentleman called the attention of the House to the situation with reference to Mr. Jones of the War Food Administration. The President has been away for 4 weeks and I am just wondering who directed Mr. Bowles to remove 85 percent of meat from the ration list and to take these other things off the list?

Mr. JENKINS. In answer to the gentleman's question, I say I wish I knew. I hope these remarks of mine will bring an answer from somebody connected actively with the Food Administration. I see that Cecil B. Dickson, a prominent news reporter in an article appearing in the Hartford (Conn.) Times of a day or two ago says the action of President Roosevelt in ordering Chester Bowles the Director of Price Administration, to remove all meat except beefsteaks and beef roasts from rationing was considered a master stroke by inside New Dealers.

(By unanimous consent, Mr. JENKINS received permission to revise and extend his remarks.)

The pro forma amendments were withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3. In order to fully utilize dam and reservoir areas under the control of the War Department, the Chief of Engineers, under the supervision of the Secretary of War, is authorized to construct, maintain, and operate recreation, conservation, and other facilities thereat advantageous to the interests of the United States, or to permit the construction, maintenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, structures, or facilities in said areas for such periods and upon such terms as he may deem reasonable. All moneys received for such leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. WHITTINGTON. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: On pages 2 and 3, strike out all of section 3, and insert in lieu thereof, the following:

"Sec. 3. The Chief of Engineers under the supervision of the Secretary of War, is authorized to construct, maintain, and operate park and recreational facilities in reservoir areas under control of the War Department, and to permit the construction, main-

tenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, structures, or facilities in reservoir areas for such periods and upon such terms as he may deem reasonable: *Provided*, That licenses to Federal, State, or local governmental agencies for the use of areas suitable for public park and recreational purposes may be granted without monetary consideration when the Secretary of War determines such action to be in the public interest. All moneys received for leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts."

Mr. WHITTINGTON. Mr. Chairman, during the course of general debate, a number of questions were asked with respect to the meaning of section 3, and particularly with respect to the meaning of the word "facilities" in line 25 of section 3. In response to the questions asked, as well as in response to some apprehensions manifested, it was stated by the committee that the purpose of section 3 was to authorize the Chief of Engineers in and around the pools, the permanent pools that are provided in reservoirs authorized for flood control, to make leases for recreational purposes only. It is in order to remove any apprehensions with respect to reclamation or power in connection with the word "facilities" and in order to make more certain that it is the purpose of section 3 only to authorize the Chief of Engineers to provide for recreational facilities that this amendment is offered as a substitute for section 3. I may say in this connection, Mr. Chairman, that under existing law the Secretary of War is authorized to make leases for 5 years, but that in many cases citizens who came to these lakes or these permanent pools would like to have longer leases for any residences or any places of abode they established along the lakes. This substitute is intended more definitely to limit the purpose for which the original section 3 of this bill was intended.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will be glad to yield to the gentleman from South Dakota.

Mr. CASE. Does the amendment as offered by the committee drop the word "conservation" altogether? My reason for asking that is I understood the word "conservation" is in there to make possible the establishment of wildlife refuges and things of that character for the conservation of property and wildlife.

Mr. WHITTINGTON. It is fair to say this substitute does eliminate the word "conservation." I personally can see no objection to its inclusion after "recreation," because that might be applicable in some cases. But the primary meaning of the section was for recreation, as stated.

Mr. CASE. I wonder if the chairman would feel free to modify the amendment to that extent to put in the words "wildlife conservation" after "recreation"?

Mr. WHITTINGTON. Mr. Chairman, I would like to keep faith with the committee. I submitted this amendment to the committee and I was authorized by the committee to submit this as a sub-

stitute. Frankly I would say with respect to the wildlife feature that my thought is, with all deference, that these particular pools, from my observation and from my inspection, are really lakes, and those lakes provide for recreation and fishing facilities. It might be, it is possible, the gentleman may know more about the wildlife problem than I do, but it might be that the restrictions with respect to wildlife propagation might impair the recreational facilities. Personally I trust that the gentleman will think about that matter and I trust he will appreciate my position. I am not in a position to accept that amendment. My thought is this, further, that if after a further consideration of any and all the projects here it appears that you would like to provide for wildlife conservation and it could be done properly, that it might be embraced in another body. I have gone as far as I am authorized to go.

Mr. CASE. If I may comment just a bit further, the Izaak Walton League, with national headquarters in Chicago, did adopt a resolution which was rather critical of this bill on the ground that it feared some of these reservoirs would destroy wildlife.

The answer that some of us individually have made, and the answer of the chapters of the organization in my State which they have made in their endorsement of the bill has been that section 3, so far from destroying wildlife, is a means of protecting it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CASE. In that case it was suggested that the Fish and Wildlife Service could cooperate with the War Department through the language in section 3, to propagate fish, establish pools or bayous where feed might be planted for migratory waterfowl, and things of that sort. I would be a little disappointed if I felt that the amendment destroyed that.

Mr. WHITTINGTON. While I am not as much of a sportsman as the gentleman from South Dakota [Mr. CASE], and others who live in that State, I would say that the language "recreational" ought to embrace the aims and purposes of the Izaak Walton League. It may be that this language would be susceptible to the interpretation that the gentleman has in mind. I would not say that it would not be correct, in proper cases. But, I would say that for the present it is intended for recreation and park facilities, but I think the language is broad enough to embrace what the gentleman had in mind if the Secretary of War so agreed.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. SMITH of Ohio. Where are you going to get the money?

Mr. WHITTINGTON. I would say we would get the money for the reservoirs authorized in this bill from the same source that we got the money when we authorized the building of some 13 of the

finest reservoirs for flood-control purposes that I know of in the United States, in the great Commonwealth of Ohio. I know of no finer recreational facilities than some of those that have been constructed in those reservoirs that were constructed along the Muskingum River in Ohio.

Mr. SMITH of Ohio. Where did you get that money?

Mr. WHITTINGTON. We got it from the taxpayers of the United States, money that the taxpayers wanted expended to protect their lives and their property.

Mr. SMITH of Ohio. Did you get it from the taxpayers or is it still to come from the taxpayers?

Mr. WHITTINGTON. It might be both, if that will satisfy the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Mississippi.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That the Secretary of War is authorized to sell to States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses surplus water that may be available at any reservoir under the control of the War Department. All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. MOTT. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to extend my remarks and include therein certain documents.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MOTT. I also ask unanimous consent, Mr. Chairman, to speak out of order.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MOTT. Mr. Chairman, I have today introduced a bill providing for the deportation of Japanese aliens immediately upon the conclusion of hostilities between the United States and Japan. The bill is short, and I am going to read it to you:

A bill providing for the deportation of Japanese aliens

Be it enacted etc.—

SECTION 1. All persons in the United States who on the 7th day of December 1941 were subjects of the Government of Japan and who became enemy aliens by reason of the declaration of war between the United States and Japan, are hereby defined and declared to be undesirable aliens and subject to deportation under the statutes of the United States providing for the deportation of undesirable aliens.

SEC. 2. Within 30 days after the approval of this act the Attorney General of the United States shall proceed to prepare warrants for the deportation of all undesirable aliens as defined in section 1 of this act. Such warrants shall be executed and such aliens deported immediately upon the cessation of hostilities between the United States and Japan.

SEC. 3. No undesirable alien as defined in this act, who has been interned as an enemy alien in the United States, shall be released from internment except for the purpose of deportation under warrant as herein provided.

SEC. 4. All acts or parts of acts in conflict with this act are hereby repealed.

I venture to say that if a poll should be taken today of all the people in the United States to determine whether they desired to permit alien Japanese to remain in the United States after the conclusion of hostilities, the verdict would be at least 90 percent against allowing them to remain. On the Pacific coast, I would say that the verdict would be almost 100 percent for their deportation after the war.

The blood of our sons who were murdered at Pearl Harbor, and tortured and starved on Bataan and Corregidor, the thousands who have met death in the Solomons, the Marshalls, the Gilberts, on Attu, and other theaters of operation in the Pacific, cry out against this barbarous nation and the barbarous nationals who comprise it. I believe the people of this Nation do not want the aliens of that nation to remain in the United States when the war is over.

That being the case, Mr. Chairman, it seems to me obvious that appropriate legislation on the subject should be enacted now, because unless legislation of this kind is enacted during the war it will very likely never be enacted at all. That is the reason I have introduced this bill now, while the people are still free from the propaganda which will beset them after the war.

You all recall what happened after the First World War. There was an avalanche of propaganda, of manufactured sentimentalism throughout the United States which was deliberately calculated to make the people believe that those who had so recently been our enemies had become our brothers immediately upon the cessation of hostilities, and that they could never be persuaded by their leader to wage war on us again.

To such an extent did this propaganda go, and such effect did it have, that it even persuaded the people of the United States almost immediately after the close of World War No. 1 to scrap their Navy and to neglect the defenses of their own country. The same propaganda will be launched again after this war.

You will note, Mr. Chairman, that this bill has to do only with Japanese aliens in this country. It does not have to do with Japanese born in the United States, who by virtue of their birth are citizens of this country. That is an entirely different phase of the Japanese problem, and one which must be handled separately and in a different way.

That phase of the question, I may say, is now being studied, and in due course an equitable and constitutional solution of the problem will be reached and presented to the Congress. That phase involves the loyalty of certain individual American citizens born of Japanese parentage, and presents a most important and vital constitutional question. No American desires to harm another American, simply because he was born of Japanese parentage, provided he is in fact, a loyal American, and no American will harm him. But the disloyalty of a vast number of Japanese-Americans has been so completely demonstrated during this war, that the question as to them must be faced and must be solved—and

it will be solved by just and proper legislation within the four corners of our Constitution.

In the meantime, Mr. Chairman, the question of the Japanese alien remaining in this country after the war is here now for solution. There is no constitutional question involved here. There is no question of injustice. The people affected by this bill are highly undesirable enemy aliens. They came here solely by our sufferance. That sufferance is exhausted. We want them here no longer. We propose to send them back where they came from at the earliest practicable moment.

I trust very much that the Committee on Immigration and Naturalization will proceed to the immediate consideration of this bill so that it may be reported to the House and voted upon at this session of the Congress.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

The pro forma amendment was withdrawn.

Mr. ROBINSON of Utah. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROBINSON of Utah: Amend section 4 at line 15, page 3 by adding the following: "Provided, however, That, in the case of any reservoir located west of the 97th meridian, the right to the use of waters for such purposes shall be established, and the repayment of costs allocated thereto shall be provided for, pursuant to the provisions of the Federal Reclamation laws."

(By unanimous consent, Mr. ROBINSON of Utah was granted permission to revise and extend his remarks.)

Mr. ROBINSON of Utah. Mr. Chairman, section 4 of this bill authorizes the Secretary of War to sell for domestic and industrial uses surplus water available at any reservoir under his control. There is no requirement in the section that the right to use such water for domestic and industrial purposes shall be established in conformity with local law, nor does there seem to be any such requirement elsewhere in Federal statutes relating to projects under the control of the Secretary of War. Uses for domestic and industrial purposes are ones that under the system of water law prevailing in the Western States have validity only to the extent that they are established or recognized under the provisions of the law of the place of use. They are in this regard like the right to make beneficial consumptive use of water for irrigation.

Section 6, as amended here today, in dealing with irrigation rights is intended to provide for the establishment of those rights in conformity with the requirements of the Federal Reclamation law. That law provides for proceeding in conformity with State laws for the establishment of the right to use water for irrigation and purposes incidental thereto.

As a matter of principle, I believe that similar conformity should have been required in connection with the sale of rights to use water for domestic and industrial purposes under section 4 of this bill. As the section now stands, the

exercise of authority under it, if unchallenged, will amount to an assertion by the Federal Government of a claim of ownership to water for domestic and industrial purposes, without regard to local law. Even though the reservoir by which such surplus waters are developed are constructed and operated under the constitutional power of the Federal Government, the assertion of ownership of such surplus waters for domestic and industrial purposes would be an assertion that Western States would and should regard as prejudicial to their claims of jurisdiction with respect to waters arising in their States. The possibility of such assertions could have been avoided by a relatively short amendment requiring the establishment of rights for such purposes in conformity with local law, in the manner provided in the Federal reclamation law. I have not pressed harder for such an amendment because so far as the Western States are concerned, I am not aware of any instance where surplus waters will be available for disposition under section 4. If I am wrong in this, this section, as a matter of principle, requires amendment.

Mr. ROCKWELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

(By unanimous consent Mr. ROCKWELL was granted permission to extend his remarks in the RECORD.)

Mr. ROCKWELL. Mr. Chairman, I hope the committee will accept the amendment offered by the Congressman from Utah, and also the ones the committee will offer to section 6. These amendments do not interfere with flood control in the slightest. Their purpose is to tie the reclamation part of the bill to the reclamation laws as we now have them.

In the Colorado Legislature, where I served for many terms spanning a period of 25 years, we had a custom by which, when a bill had multiple purposes, it was referred in turn to each of the committees specializing on each purpose. In other words, had this bill been before our legislature the flood-control committee would have prepared the part having to do with flood control as they have done. Then it would have been rereferred to the irrigation and reclamation committee for preparation of the purposes having to do with the disposal of the so-called surpluses of water stored in these dams and reservoirs. This latter committee, of which I am a member, would have considered only the part of the bill having to do with the disposal of water for irrigation and domestic and industrial uses. The result would have been generally what we are trying to accomplish by these amendments, namely, to make no innovations or changes in our fundamental reclamation laws, but to tie this new program to these present laws that have been developed over the past 50 years.

In the States west of the ninety-seventh meridian, water is necessary for the growing of crops as well as for domestic and industrial uses. Men fought over it in the early days and only after years of litigation and trouble have the

States in cooperation with the Department of the Interior worked out a satisfactory program. Let us not start a new program that will make trouble, misunderstanding, and serious legal difficulties. These amendments do not affect flood control and will generally satisfy our western water users.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I stated yesterday, the purpose of section 4 in no way involves reclamation. With all deference to the gentleman from Utah [Mr. ROBINSON], the amendment is utterly inapplicable and out of place at this point.

Under existing law if a reservoir is authorized and if there is a lack of water for human consumption or for the necessary enterprises in the area the local people are authorized to supplement the cost of that reservoir where the water table, for instance, is low and share by putting up money in the first instance in the case of the construction of the reservoir. It happens in many cases that there is a need, as the War Department has reported to the committee, for water for human consumption because of the drying up of wells. If that need occurs in Ohio, or if that need occurs in Massachusetts, or in any other State, instead of requiring the local people in the first instance where there is inability in many cases to issue bonds and to incur large indebtedness to share in the construction of that reservoir, the purpose of section 4 is to enable the Government, the Secretary of War, and the Chief of Engineers to make a disposition of water there for human consumption or for any proper industrial use. It strikes me, with all deference and in all kindness, that the amendment offered by my friend is utterly inapplicable and would defeat the very purpose for which section 4 is intended. I submit, Mr. Chairman, that if it be proper to provide for the storing of waters for reclamation to grow crops in the arid West, with which I am in sympathy, it ought to be all the more in order to provide for the storing of waters for human consumption.

I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah.

The amendment was rejected.

The Clerk read as follows:

SEC. 5. Hereafter, it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the basis of such purposes, and the operation of any such project shall be in accordance with such regulations.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to interrogate the distinguished gentleman from Mississippi, chairman of the committee, on the intent and purpose of this provision.

Mr. WHITTINGTON. The gentleman from Mississippi will be glad to answer his colleague in any way he can.

Mr. RANKIN. We are somewhat disturbed as to whether or not this provision will interfere with the operation of the Tennessee Valley Authority under existing law.

Mr. WHITTINGTON. Mr. Chairman, I answer my colleague by saying most emphatically it will not and should not interfere with the proper operation of T. V. A., and with the gentleman's permission I will proceed to make this statement: The purpose of section 5 is to coordinate reservoirs that should properly be coordinated, to provide for flood control and for navigation.

I call the attention of my colleague to the fact that that language has nothing on earth to do with the development of power. It has to do only with and I quote: "flood control and navigation." In the Ohio Valley, along the Ohio River, the United States in addition to financing the Tennessee Valley Authority for the construction of dams and reservoirs for flood control for navigation, but in all fairness and in all candor primarily for power, has constructed other reservoirs along other tributaries of the Ohio River for flood control. If those reservoirs on the tributaries of the Ohio, including the Kentucky Dam, the greatest and biggest of all the T. V. A. dams, is to function for flood control that dam and those supplemental dams must be coordinated with the dams along the Allegheny River, along the Monongahela River, along the Kanawah River, along the Muskingum River, and other tributaries. It is essential for the proper coordination of all dams whether along the Tennessee, whether along the Cumberland, or whether along the Ohio or any of the tributaries to be under one central authority that shall have the final say as to how those reservoirs and those dams shall function for flood control. There is nothing whatever in this bill that interferes with the proper power development of the T. V. A.

I supported the T. V. A. and I know the attacks that were made upon it in the Congress. The T. V. A., as the gentleman from Mississippi, if I may presume to say so, must agree, the T. V. A. has been approved by the Supreme Court because of the development of navigation and flood control under the commerce clause of the Constitution. If it be the real purpose of the T. V. A. to provide for flood control then the T. V. A. ought to be coordinated with the other reservoir projects and other flood-control projects; and that is solely the purpose of this provision.

Mr. RANKIN. I was coauthor of the bill creating the T. V. A. We went into all those questions before the bill was ever introduced. The three main purposes were to improve navigation, to control floods, and to produce power. The gentleman realizes, of course, that the Gilbertsville Dam was constructed largely for flood control. That dam was constructed by the Tennessee Valley Authority. The dams on the Tennessee are coordinated, they are all linked together, they are operated, may I say, through the powerhouse of the T. V. A.; and I do not want you to take away from the T. V. A. any

of the jurisdiction over the operation of those dams and reservoirs.

Is it the gentleman's interpretation of this bill that its provisions would interfere with the authority of the Tennessee Valley Authority to operate those locks and dams and control the reservoirs on the Tennessee River?

Mr. WHITTINGTON. That is one of the purposes for which the authorization exists, to provide for their operation as authorized by Congress.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended 5 minutes.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. RANKIN. It is a great pity that when those dams were built on the Ohio River they did not set up an authority to harness that great wealth of hydroelectric power that is roaring down the Ohio, all the way down from the Allegheny Mountains to Cairo and now going to waste. We took time by the forelock and did save the power on the Tennessee. In doing so for the first time we provided a 9-foot channel from the mouth of the Tennessee to Knoxville and at the same time controlled floods on the Tennessee, and for the first time provided a system whereby we could check or hold back sufficient water to have a tremendous influence on floods south of Cairo on the Mississippi River. What I want to avoid is having any law passed today that interferes with the jurisdiction of the Tennessee Valley Authority to control that river, as the jurisdiction now stands. What I want to know is whether or not it is the opinion of the gentleman from Mississippi [Mr. WHITTINGTON] that this bill will change existing law in that respect.

Mr. WHITTINGTON. This will not change existing law in any respect except to make effective existing law to provide for flood control. As the gentleman asserts, one of the main arguments, as he now reminds us, for the T. V. A. was that it would afford flood control on the Ohio and Mississippi.

Mr. RANKIN. Here is what the bill is likely to do: When two distinct authorities are given the right to interfere it is likely to cause conflict that would be to the detriment both of the Tennessee Valley Authority and the flood sufferers on the lower Ohio, the lower Mississippi, and the Tennessee. For that reason I wish the gentleman from Mississippi [Mr. WHITTINGTON] would leave that provision out or else accept an amendment to clarify the matter and show that it is not intended to interfere with the operation of the Tennessee Valley Authority.

Mr. MANSFIELD of Montana. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. I am wondering if section 5 means that the Secretary of War can prescribe regulations for all reservoirs built throughout the country either wholly or in part with Federal funds? Does that cover the

reservoirs which have been created and put under the Bureau of Reclamation?

Mr. WHITTINGTON. If I may be permitted to answer, most emphatically no, because it says that it is for flood control or navigation.

Mr. MANSFIELD of Montana. It says "all reservoirs constructed wholly or in part with Federal funds."

Mr. WHITTINGTON. Well, I answered the gentleman's question. It would be the duty of the Secretary of War to prescribe regulations for the use or storage of water available for flood control or navigation. It limits the authority to flood control and navigation and has nothing to do with reclamation or power—

Mr. ROWE. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Ohio.

Mr. ROWE. In the gentleman's opinion these authorities as they are established, and particularly that of the Tennessee Valley, should remain unimpaired in any region where applicable?

Mr. RANKIN. Yes, I think they should remain unimpaired. The T. V. A. is doing the greatest job in connection with the production of power, flood control, the improvement of navigation, soil conservation, and so forth of any agency of this Government. I am afraid if the pending bill is passed in its present form it is going to impair that efficiently and greatly injure the Tennessee Valley Authority. For that reason, Mr. Chairman, I offer the following amendment which I hope the gentleman from Mississippi [Mr. WHITTINGTON] will accept.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 3, line 21, after the word "regulations", strike out the period, insert a comma and the following: "except as otherwise provided by existing law."

Mr. RANKIN. Mr. Chairman, that is all we ask, that it will simply protect the Tennessee Valley Authority from interference and will leave the T. V. A. in control of the Tennessee River as the present law provides, and I hope my colleague from Mississippi will accept this amendment, because it is absolutely necessary to clarify the situation and to avoid a conflict that might prove disastrous.

Mr. KEFAUVER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope that the distinguished chairman of the committee will accept this amendment, because if it is not included in the bill it may very seriously interfere with the war effort and, of course, none of us want to do that. I call the attention of the Members to the fact that some of the dams on the Tennessee River which are operated by the Tennessee Valley Authority have recently been built for the expressed purpose of producing power for the manufacture of munitions, especially aluminum. The Cherokee, Douglas, and several of the other dams were built primarily for power, and they are charged 100 percent to power operation.

It is quite apparent that if the Corps of Engineers is going to be able to say, "You let all of the water out of this dam," and the Tennessee Valley Author-

ity in the meantime has entered into contracts with the Aluminum Co. of America, with the Reynolds Metal Works, and with other war plants up and down the valley to furnish a certain amount of electricity, for which these dams were built, T. V. A. cannot carry out those contracts. T. V. A. cannot meet its obligations in order to produce aluminum if there is going to be any likelihood of the water being released at those dams so the generators cannot be operated. I want to say as a Member from one city in the Tennessee Valley which did have a serious threat of flood and still has a threat, that the Tennessee Valley Authority, by operating its dams for a multiple purpose, navigation, flood control, and the generation of electricity, has been able to take care of the entire flood-control problem on the Tennessee River with the exception of Chattanooga where it is agreed that in order to be fully protected we are going to have to build certain protective works. It has been proven as a scientific fact that they can successfully operate their dams for the purpose of navigation, flood control, and the generation of electricity. We are satisfied that they are doing the best they can for the protection of Chattanooga where the only flood menace now exists.

Mr. Chairman, if the Corps of Engineers is going to be given authority to operate these dams you might as well turn the whole Tennessee Valley Authority over to them. You cannot have the T. V. A. making contracts to supply electricity and at the same time have somebody else say how much water you can hold in the dams for that purpose. You cannot work under that kind of divided authority.

I hope that the gentleman from Mississippi will say that it is not intended to change existing law insofar as the operation of these dams by the T. V. A. is concerned because it would be ruinous to our war effort to have a diffusion of responsibility.

Mr. MURDOCK. Will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Arizona.

Mr. MURDOCK. I agree with the gentleman in his approval of the amendment offered by the gentleman from Mississippi [Mr. RANKIN] and with the gentleman's statement concerning it. The very fact that dams are built for a multiple purpose shows there are other reasons for such dams besides flood control. I believe the amendment offered by the gentleman from Mississippi [Mr. RANKIN] will cover the situation and safeguard those other uses.

Mr. KEFAUVER. I thank the gentleman. I maintain that the big problem at this time is the operation of these dams that were built for the purpose of supplying electricity in order to keep the aluminum production going at full pace. We have some dams down there in connection with which there was no flood control or navigation considered. The appropriations were to build the dams to produce power or electricity and those dams cannot be turned over to the op-

eration of the Corps of Engineers unless we are going to hamper the war effort.

Mr. RANKIN. Will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Mississippi.

Mr. RANKIN. In the last great flood even though we did not have the Gilbertsville Dam finished, the Tennessee Valley saved Cairo, Ill. By using those dams and coordinating them according to the system they worked out there was held back the floodwaters of the Tennessee River.

Mr. KEFAUVER. The gentleman is right and in this last flood the Tennessee Valley Authority prevented substantial damage to Chattanooga by a decision there to let a certain cofferdam be washed out at the Kentucky dam project. They are doing the very best they can to control floods by the way they are operating those dams and at the same time supply the great amount of power and electricity that is needed and unless they can continue to do that the war effort in the valley is going to suffer greatly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEFAUVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee [Mr. KEFAUVER]?

There was no objection.

Mr. PLUMLEY. Will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Vermont.

Mr. PLUMLEY. The danger to which the gentleman refers is not so much in that to which he refers as it is in the fact that under this bill discretion is granted and delegated to the Army engineers, and if I remember my law correctly, unless you can show fraud in the man to whom the power to use discretion has been granted he cannot be challenged for what he undertakes to do.

Mr. KEFAUVER. I appreciate the gentleman's remarks. The point I make is that you cannot have a divided authority as to how much water you are going to let out of the dams to produce electricity. We have to have that electricity for the Aluminum Co. and for the Reynolds Metal Works which are making more aluminum for bombers than all the rest of the Nation combined. The dams must continue to be operated under the T. V. A. regulations.

Mr. MANSFIELD of Montana. Will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. Is it the gentleman's opinion that the amendment offered by the gentleman from Mississippi [Mr. RANKIN] will clarify this particular section so that the law as it exists at the present time and as applicable to the T. V. A., the Columbia River, the Grand River, and others, will not be disturbed?

Mr. KEFAUVER. I do not know about the others. It is my opinion that this amendment is necessary. This matter was settled in the T. V. A. Act and

all we want to do is to keep the program as it was provided in the T. V. A. Act.

Mr. Chairman, I hope the amendment offered by the gentleman from Mississippi [Mr. RANKIN], will be agreed to.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON of Missouri. Mr. Chairman, this is a very comprehensive bill, embodying the data, experience, and research of more than 100 years. The purpose of the bill is the solution of one of the most pressing problems confronting the Nation today. It has been admirably handled and I hope that everyone interested in the legislation and the purpose it seeks to serve has read or will read carefully the speech which the chairman of the committee, the gentleman from Mississippi [Mr. WHITTINGTON], delivered on yesterday.

It is a literary classic. It is a contribution to the history of our times. It marks a step forward in flood-control engineering. Naturally, I am particularly interested in the application of the proposed legislation to the Missouri River Basin.

The Missouri is the longest river on the North American Continent. It is approximately 2,500 miles in length and carries a flow of water unpredictable in volume and velocity. It drains an area of half a million square miles. In that area is included almost every mineral resource, timber resource, and agricultural resource which the Nation produces or the world could desire.

But Sir Walter Scott's couplet applies here with particular aptitude:

O, it is excellent to have a giant's strength;
But it is tyrannous to use it like a giant.

This great river and benefactor of mankind possesses a potential strength which untowardly exerted at flood renders it a ravaging giant of destruction and devastation. For the last 3 years it has been more destructive in my immediate section of the country than ever before in the memory of this generation, and has reached a higher crest and inundated wider areas than in any recorded rise since 1844, a hundred years ago. It follows that there is great interest in this bill in my immediate section, and throughout the Central West. I would like to ask the chairman of the committee one or two questions. It is my understanding that the bill in no way affects the proposition to establish a 9-foot channel in the Missouri River?

Mr. WHITTINGTON. It does not. No navigation project is embraced in this bill.

Mr. CANNON of Missouri. And it in no way affects any proposal for the development of power?

Mr. WHITTINGTON. There are no facilities and no power projects authorized in this bill. The general law will obtain. If a reservoir is authorized and if the Federal Power Commission thinks that a penstock should be installed, and the Secretary of War agrees with it, there will be a penstock installed in the reservoir. But no power project is authorized in the bill.

Mr. RANKIN. That is according to the law passed in 1938?

Mr. WHITTINGTON. I say that is under existing law.

In further answer to the gentleman's question, we have repeatedly stated during the debate that no project, reservoir, or dam, or other improvement is embraced in this bill unless it is primarily for flood control. If power can be developed as an incident, or if reclamation can be provided, they are cared for in the bill.

Mr. CANNON of Missouri. And third, while our primary interest is in flood control, our immediate concern in the next few weeks is relief from the disastrous consequences of the present flood now devastating the Missouri Valley.

It is my understanding that at the request of the chairman, a survey is now being made by the Board of Engineers of the flood situation, and as soon as that report is available a bill will be brought in to provide for emergency relief in the repair, replacement, relocation, and raising of levees in the stricken areas. Pending control of floodwaters, provision must be made for their restraint in this rich agricultural section. May I inquire when the gentleman expects a report?

Mr. WHITTINGTON. We hope to get it in in the next few days. The initial statement that I made in opening the debate on this bill was that we requested the Board to give us the facts on which to base the emergency bill.

Mr. CANNON of Missouri. And it is the intention of the gentleman and the committee to act immediately upon receipt of that information?

Mr. WHITTINGTON. It is. We have so stated.

Mr. BURDICK. Mr. Chairman, I move to strike out the last two words.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Are there any other gentlemen besides the gentleman from North Dakota who would like to be heard? If there are no others, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, the last 10 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BURDICK. Mr. Chairman, I just rise to ask this question of both gentlemen from Mississippi. My first question is directed to the chairman of the committee and to the gentleman who was the author of the T. V. A. Section 5 reads:

Hereafter, it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds—

My question is this: If this bill goes through, then, so far as flood control and navigation are concerned, the reservoirs of the T. V. A. will be under the jurisdiction of the Army engineers; is that not correct?

Mr. RANKIN. That is what I fear.

Mr. WHITTINGTON. If the gentleman addressed that question to me I will answer unhesitatingly "No; it is not under the supervision or jurisdiction of the engineers." This language of the section does not change the control nor does it change the operation of the T. V. A. authority. I shall undertake to go into the matter more in detail when I have the privilege. It merely has to do with seeing regulations are made for any storage that is provided in the reservoirs, and nothing more or less, for flood control and control.

Mr. RANKIN. That function is already vested in the Tennessee Valley Authority, just as it is vested in the Department of the Interior at Grand Coulee and at Fort Peck in the Army engineers.

Mr. BURDICK. When this language says that all reservoirs shall be under the jurisdiction of the Secretary of War that includes all reservoirs, the T. V. A. as well as everything else.

Mr. WHITTINGTON. Where is the language that it shall be under the jurisdiction of the Secretary of War? It is not in section 5.

Mr. BURDICK. Here is the language. I do not have much education, but I think I can read English:

Hereafter, it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs—

Are you not walking right into a situation where you take that control away from the T. V. A.—

constructed wholly or in part with Federal funds provided on the basis of such purposes, and the operation of any such project shall be in accordance with such regulations.

If that does not mean what it says, I do not understand English.

Mr. WHITTINGTON. It means that the T. V. A. shall operate in accordance with those regulations for flood control.

Mr. RANKIN. Does it mean that the Army engineers or that someone else has jurisdiction to tell the T. V. A. what to do?

Mr. BURDICK. I yield back the balance of my time. I just wanted to ask this question and no one seems to be able to answer it.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. I agree with the distinguished gentleman from North Dakota as to his definition of this particular section. The way it is now worded, it gives the Secretary of War the authority to prescribe regulations covering all reservoirs constructed wholly or in part with Federal funds.

Mr. BURDICK. I am glad the gentleman can read English also.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Arizona.

Mr. MURDOCK. I would like to ask whether a reservoir built for an irrigation project must be regulated solely for flood control?

Mr. WHITTINGTON. If the gentleman will yield, that is not involved in this

provision of the bill at all. If they are erected wholly for reclamation, there is no flood control and no navigation.

Mr. MURDOCK. The point I wish to make is that dams for irrigation may have a flood-control use and a navigation implication.

Mr. BURDICK. I started this row, and you can all get in.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. If the gentleman is correct in saying that it does not affect the T. V. A., then does the gentleman see any harm in saying "otherwise as provided by law"? It seems to me that would clarify it.

Mr. BURDICK. Unless you put some restriction in there and leave the T. V. A. alone in the work it is doing in flood control and navigation and power, I will vote "no," and I know other Members will do the same thing.

Mr. KEFAUVER. There is an amendment pending which will clarify the matter entirely.

Mr. BURDICK. I think so.

Mr. CRAVENS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have read section 5 carefully and I think I know the purpose at which it is aimed. I take this time merely to inquire of the chairman of the committee as to the legislative intent with respect to the language used. It seems to me that as it is worded it would cover all flood-control and navigation projects which have been constructed in whole or in part with Federal funds. What I want to ask the chairman of the committee is this: Is it the intention of this section, and is it so worded, in the gentleman's opinion, as to apply to reservoirs that have already been constructed with public funds, and put them under the control of the Army engineers? As I read the section, it covers all flood control and navigation projects. It is limited to that.

Mr. WHITTINGTON. No; it does not cover all projects, but go ahead with the question you would like to propound.

Mr. CRAVENS. It is limited to projects in the construction of which Federal funds have been used. What I am asking the gentleman, and I think this language covers it and I merely want to be sure about, is this: Is it broad enough to include the reservoirs and dams heretofore constructed for those purposes, so as to give the Army engineers control over their operation as well as those that may be constructed in the future under the authorization of this bill?

Mr. WHITTINGTON. I would answer in the affirmative. I suppose that is the reason for the amendment offered by the gentleman from Tennessee. The T. V. A. operates reservoirs that have heretofore been constructed.

Mr. CRAVENS. This will cover, for instance, the Pensacola, Grand River Dam in Oklahoma?

Mr. WHITTINGTON. It will, and that is one of the purposes of the section.

Mr. CRAVENS. I thought this was broad enough to do it, but as a result of

the disastrous experience we have had there I wanted to know that the operating authority contained in section 5 would be applicable to that project.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CRAVENS. I yield to the gentleman from Mississippi.

Mr. RANKIN. The acceptance of my amendment would clarify the entire situation. If this bill is passed in its present form, it is likely to disturb every one of these projects that have been constructed throughout the country.

Mr. CRAVENS. I have no objection to the gentleman's amendment. I am talking about a different proposition entirely.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. CRAVENS. I yield to the gentleman from Tennessee.

Mr. GORE. The language in section 5, as I read it, very clearly states that the Secretary of War shall prescribe regulations for the use of "storage available for flood control or navigation" and "all reservoirs constructed wholly or in part with Federal funds," and that the "project shall be operated in accordance with such regulations." If that does not include all reservoirs constructed with Federal funds for the purpose of flood control and navigation, then the language of the section means something with which the legislative intent does not comply.

Mr. CRAVENS. The purpose of my inquiry was to be assured that the language in section 5 was intended to and does provide that the Army engineers may regulate the operation of reservoirs even though they are already built. That it does not apply to the future projects only.

Mr. WHITTINGTON. It would not if the amendment of the gentleman from Mississippi [Mr. RANKIN] were adopted.

Mr. GORE. Then does the gentleman accept the amendment?

Mr. WHITTINGTON. Not at all.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. CRAVENS. I yield to the gentleman from North Dakota.

Mr. LEMKE. I note that the gentleman has asked the chairman what this language means. Member after Member has asked what the intention is. May I ask the gentleman whether we are going to be governed by the language of the bill or whether, when the bill is passed, we shall have to look into the CONGRESSIONAL RECORD to find out what the gentleman from Mississippi meant or intended to do?

Mr. WHITTINGTON. If the gentleman will yield, I want it understood that I answered the question of the gentleman from Arkansas by saying this section embraced the Grand River Authority, and the gentleman knows why it should be embraced. I answered him, further by saying that if the amendment of my colleague the gentleman from Mississippi [Mr. RANKIN] were adopted, it would embrace the Grand River Authority, and the Grand River

Authority should be regulated as provided in this section.

Mr. CRAVENS. What I am particularly interested in and the reason I asked the question is that we have had some very disastrous experiences with the operation of certain flood-control projects. What we thought were flood-control projects turned out to be something else as a result of the activities of agencies of the Government other than the Army engineers. All I want to find out is this: I think the language is broad enough—and I wanted the chairman's corroboration of my construction of it—that the Army engineers by this language will have the right to regulate projects already constructed, and will not be limited by this language to those that may be constructed in the future.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from South Dakota.

Mr. CASE. Will the gentleman explain the effect of the words "Federal funds provided on the basis of such purposes"?

Mr. WHITTINGTON. I will undertake to do so.

Mr. Chairman, as chairman of the committee I have been asked to accept the amendment whose purpose is to except the T. V. A. from the operations of section 5. I have responded frankly that I am unable to accede to that request. The amendment and the substance of the amendment have been carefully considered by the Committee on Flood Control, and the committee decided not to accept the amendment. A number of my friends from Tennessee and one from Alabama have asked me if I would be agreeable to accepting a similar amendment. I have answered them frankly that in my judgment their fears or apprehensions were without substantial foundation.

The gentleman from Arkansas [Mr. CRAVENS] who has just taken his seat referred to the project that gave to our committee the inspiration for this section. A project was authorized known as the Grand River Authority in Oklahoma. It involved the construction and operation of the Pensacola Dam. Reports were made on that project and in those reports it was understood that a certain amount of space in the Grand River Dam should be reserved for flood control. In the flood of 1943, last year, they had the most disastrous flood in the Arkansas Valley in the vicinity of the Grand River Authority. It developed in the hearings conducted by the Committee on Flood Control that that authority in its ambition and desire to develop power had not reserved the storage required by the report of the Army engineers for flood control.

It appears to the committee that the country should know the facts. That authorization was made because in that reservoir there was to be reserved space for flood control. It was not reserved.

It was not under the supervision of the Secretary of War. He could not make the regulation. All he could do was ask for the space.

Mr. Chairman, there is nothing on earth in this provision that interferes with the war effort. It will not affect a single dam that has been referred to by my friend from Tennessee where provision is made for flood control. The dams that are constructed primarily for power will not be involved. Why? Some of the dams are constructed for power and for flood control. This amendment simply provides that the T. V. A., the Grand River Authority, or any other authority shall so operate those dams and those authorities that the regulations of the Secretary of War asking for the use of the space paid for by the people of the United States in those dams for flood control shall in the event of flood be available for flood control. Can there be any objection to that?

I am aware that unfortunately governmental agencies make claims from time to time that cannot be substantiated. I remember that in 1937 they had the greatest flood in the history of the Ohio Valley at Cincinnati and Louisville. From one end of the river to the other, they had the greatest flood, the highest flood, in the history of that valley. The spokesman for the Tennessee Valley Authority rushed in to the public print and said, substantially, "The Tennessee Valley Authority has saved the Tennessee Valley. While the Ohio Valley is being overflowed, the Tennessee Valley is suffering from no flood."

The fact of the matter was, and I so stated repeatedly, that in the Tennessee Valley that year along the Tennessee River and its tributaries there were no maximum floods. If there were floods along the tributaries of any major river in the United States at the same time, no reservoirs, no flood-control works, no levees would protect the people. There would be another Noah's flood.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that I may proceed for the additional 5 minutes reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, to be more to the point, in 1937 when overnight, almost, the Ohio River rose some 50 feet at Cincinnati, Paducah, the gage at Johnsonville in the Tennessee Valley, the gage at Chattanooga, the gage at Knoxville, showed conclusively that there was no major flood in the Tennessee Valley. The great Ohio flood came from the Miami and other valleys than the Tennessee Valley. There were rains and there was high water in the Tennessee Valley, but there was no major or maximum flood comparable to the floods in the Miami and other tributaries of the Ohio River.

In my judgment, with all due respect, and while I have supported the Tennessee Valley Authority, the claim that the Tennessee Valley Authority saved Cairo, the

claim that the Tennessee Valley Authority materially reduced the floods of the Ohio River in 1937, is utterly without merit. The thing that saved Cairo was the flood walls built there to an elevation of 60 feet and the New Madrid Floodway under the Flood Control Act of 1928, I have no personal interest in this proposition. I submitted the amendment to the committee. The Chief of Engineers will not supervise or operate anybody's T. V. A. dam. The Chief of Engineers will not supervise or operate anybody's authority. The language is that it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation. There is not a word about power. The authorities will continue to operate the dams, but there will be one person charged with the responsibility of operating the dams for flood control. There will be no divided authority.

If there is nothing in the reservoir that was built anywhere, at Pickwick or elsewhere, for flood control, that section would not be applicable. At all reservoirs constructed wholly or in part from Federal funds provided on the basis of such purposes, reserving to power every foot of water that was intended for power, the operation of such projects shall be in accordance with the regulations. It does not say "operation by the Secretary of War." It does not say "operation by the Chief of Engineers." It says "operation," by whom? By the authority that is charged with law, and by law with the operation. This section provides that there shall be coordination in the operation of all reservoirs on all of the tributaries when there is a flood in the Ohio Valley. It also requires the coordination under one person with the final say on all of the tributaries of the Arkansas when there is a flood in that valley. This section applies only if there is space reserved in those dams made for the storage of flood waters. And the Secretary of War, to protect the people and the property in those valleys, shall make regulations, and those regulations should be enforced for the utilization of those waters for flood control so that there may not be a repetition of the deaths and destruction in the Grand River Authority of 1943.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman has made a very good point, it seems to me, that this section 5 should apply to certain projects.

Mr. WHITTINGTON. Mr. Chairman, what is the question of the gentleman, please?

Mr. GORE. It is my intention to offer an amendment only to except the Tennessee Valley Authority.

Mr. WHITTINGTON. In my judgment, may I say to the Members of the House, as a friend and supporter of the Tennessee Valley Authority, giving them due credit for the magnificent war production, there is not a thing in this section 5 which will interfere in anywise with the proper operation or with the

authority of those charged with the responsibility for power development. It will merely guarantee that the Authority do what the Grand River Authority did not do in Oklahoma in 1937, and that they will reserve what is to be required by the regulations of the Army engineers and that the T. V. A. reservoirs will coordinate with the reservoirs along the Muskingum, and the reservoirs along the Miami and other tributaries of the Ohio and while there are no authorities, there are reservoirs, along the tributaries of the Ohio where power is being developed, especially in projects begun under the National Industrial Recovery Act.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Nebraska.

Mr. CURTIS. I would like to ask this question: Is it not true that the authority of the Secretary of War to prescribe regulations is limited to regulations for the storage for flood control only?

Mr. WHITTINGTON. Absolutely, and for navigation. He is just asking that the storage which the people of the United States provided in those dams shall be reserved for flood control if it is needed to protect the lives and property of the people.

Under leave to extend, as I stated, none of the dams authorized in the pending bill provide primarily for the generation and distribution of power. The dominant interest in all of the dams is flood control. Such has been the case in previous flood-control bills. There are some dams authorized where power is incidental. In such cases where the report so states, provision is made for power, but there is no provision generally for power in the reservoirs authorized. I recall that in some of the flood-control dams provision is made for power to provide for utilization in reclamation. This is true with respect to dams in the Kings and Kern Rivers, but I repeat that there is no provision in the bill generally for the establishment of power facilities and for the distribution of power. In all cases it will be necessary for Congress in the future to make distribution and to provide facilities for the sale and distribution of any power that may be generated at any of the dams. There is provision for power in a few of the large dams along the tributaries of the Ohio, but the authorizations in the pending bill will not provide for the completion of these reservoirs, in my judgment, where power may be generated, and it will be necessary for Congress to make provision in the future for power facilities and distributions. I repeat that where power is incidental, flood control being the dominant interest, there are in some reservoirs provisions for generating power, but there is no provision for the distribution and sale of power. In responding to questions, I made the statement that there was no provision in any of the reservoirs for the generation of power. I made that statement having in mind that there were no reservoirs authorized in the bill primarily for power. In a few of the reservoirs, as in the case in reclamation reservoirs, there is a pro-

vision for the generation of power, but in no reservoir is there any provision for the distribution and sale of power, and I repeat that before such sale and distribution can be made, it will be necessary to obtain further congressional authority.

(By unanimous consent, Mr. WHITTINGTON received permission to revise and extend his remarks.)

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

The question was taken; and on a division (demanded by Mr. RANKIN) there were—yeas 18, nays 52.

So the amendment was rejected.

Mr. GORE. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. GORE: On page 3, line 21, after the word "regulation", strike out the period and insert a comma and the words "except as otherwise provided in the Tennessee Valley Authority Act."

Mr. WHITTINGTON. Mr. Chairman, I have no desire to be technical, but it strikes me in all fairness, that is exactly the amendment, not exactly, but substantially word for word, the amendment we just voted on.

Mr. RANKIN. Mr. Chairman, I would like to be heard on the point of order.

Mr. WHITTINGTON. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. MAY. Mr. Chairman; I reserve the point of order.

Mr. RANKIN. Mr. Chairman, let us thresh out the point of order now if there is going to be a point of order raised.

The CHAIRMAN. The gentleman from Kentucky reserved the point of order. The gentleman from Tennessee [Mr. GORE] has been recognized for 5 minutes in support of his amendment.

Mr. COCHRAN. Mr. Chairman, a parliamentary inquiry, if the gentleman from Tennessee will yield.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. GORE. I yield to the gentleman from Missouri to state his parliamentary inquiry.

Mr. COCHRAN. Did not the reservation of the point of order come too late? The gentleman from Mississippi [Mr. WHITTINGTON] withdrew the point of order, and the Chair recognized the gentleman from Tennessee [Mr. GORE].

The CHAIRMAN. The Chair wishes to state to the gentleman from Missouri [Mr. COCHRAN] that another Member, the gentleman from Kentucky [Mr. MAY] reserved the point of order.

Mr. COCHRAN. Yes; but not until after the Chair had recognized the gentleman from Tennessee.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. Chairman, the gentleman from Mississippi, the able and

distinguished chairman of the committee, it seems to me, made a good case that some projects not constructed under the supervision of the Army and Navy engineers should be brought under their supervision by the operation of section 5, but in no way did it appear to me that he made a case, or that a case had been made or can be made, that the Tennessee Valley Authority should be brought under the supervision of the Army engineers. The gentleman from Mississippi says "wherever the water is to be used for navigation or flood control." Mr. Chairman, you cannot use the same water for flood control and navigation and then take it in a bucket and bring it back above the dam and use it for power. These dams and this whole system is an integrated multiple-purpose system. The reservoirs are used for flood control; yes. To provide navigation; yes. And also for generation of power. It is not comparable to a dam that is constructed strictly and solely for one of the three purposes. In those dams this water and these reservoirs are used for all three purposes and to give supervision over flood control and navigation to one authority and then give to another authority control over generation of power is a futile proposition, because one agency will have control over the water for two purposes, while another agency would have control over the same water for a third purpose. It just does not work out that way. Water over the dam for whatever purpose is water over the dam.

This House, a great many times, has seen the trouble we encounter whenever we give divided authority. Here is a great river valley that is being utilized to the satisfaction of Congress. Here is an agency that is providing flood control and navigation in an admirable way, and at the same time using the same water for the generation of power. The T. V. A. is an agency created by Congress. Now, without due consideration of its effect upon this great agency, we are about to adopt a bill which does very vitally affect it.

I hope that, even though the gentleman from Mississippi [Mr. WHITTINGTON] is not empowered by his committee to accept this amendment, the committee will not resist to the last degree the adoption of the amendment, which would exclude from the act that which has not been given due and proper consideration.

The CHAIRMAN. Does the gentleman from Kentucky withdraw the point of order?

Mr. MAY. No, Mr. Chairman; I insist on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Kentucky. What is the gentleman's point of order?

Mr. MAY. The point of order is that the same subject has been dealt with in a previous amendment which was voted upon by the Committee just a few moments ago.

Section 5 of the act, to which the amendment is offered, provides:

That it shall be the duty of the Secretary of War to prescribe regulations for the use of storage available for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the

basis of such purposes, and the operation of any such projects shall be in accordance with such regulations.

The amendment offered by the gentleman from Tennessee [Mr. GORE] would preclude the Secretary of War from providing regulations as to those reservoirs or areas devoted to flood control on the Tennessee River.

In addition to the fact that it has already been passed upon, it is legislation which would amend by indirection an act of Congress and the general law on the subject.

Mr. GORE. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Tennessee.

Mr. GORE. Upon the point that the amendment is identical with the amendment offered by the gentleman from Mississippi [Mr. RANKIN], the amendment offered by the gentleman from Mississippi provided that section 5 should apply "except as otherwise provided by law." The amendment which I have offered provides "except as provided in the Tennessee Valley Authority Act." I would point out to the Chair one instance where the amendment offered by the gentleman from Mississippi [Mr. RANKIN] would be applicable and where the amendment which I have offered would not be applicable. For instance, the Columbia River. The amendment offered by the gentleman from Mississippi would except that, whereas the amendment which I have offered would only except the Tennessee Valley Authority Act. One is general in its application while the other is specific.

As to the further point of order suggested by the gentleman from Kentucky [Mr. MAY] that this is legislation which would repeal existing law, I would suggest that that is the very purpose of the bill and of section 5, to which the amendment is offered. Therefore, this does not constitute a sustainable point of order.

The CHAIRMAN (Mr. BULWINKLE). The Chair is ready to rule.

The amendment offered by the gentleman from Mississippi [Mr. RANKIN] provided "except as otherwise provided by existing law." The amendment offered by the gentleman from Mississippi is general in its character and applies to all projects. The amendment offered by the gentleman from Tennessee [Mr. GORE] referred specifically to that which was provided in the Tennessee Valley Authority Act.

The Chair overrules the point of order. Mr. RANKIN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, many Members probably voted against my amendment because it was too broad. I hope they will support this amendment, and I hope my colleague, the chairman of the committee, will accept it.

Whenever you turn over the operation of the dams on the Tennessee River to any other agency, to that extent you cripple the greatest project of its kind ever developed on this earth. The gentleman from Mississippi [Mr. WHITTINGTON] spoke about the floods on the Ohio River in 1937, and contend that holding back the water in the Tennessee

did not affect them. If you go back, you will find that the water came within a very few inches of going over the levee at Cairo, Ill., and was discussed in the press and over the radio at the time, and I thought was generally understood. If it had not been for the coordination of those dams and the holding back of that water on the Tennessee River, the Ohio River would have gone over the dam and flooded the city of Cairo, Ill.

The gentleman spoke about the great floods on the Ohio. Of course, we regret those floods and we regret floods anywhere, but if they had taken time by the forelock on the Ohio River, as they did on the Tennessee, and had built the same kind of dams, we would not only have been able to promote navigation, we would have been able to produce ten or twelve billion kilowatt-hours of electricity every year that is now going to waste on the Ohio River, and we also would have been able to more adequately control floods on that stream for local purposes, and hold back the floodwater from the Mississippi River.

Now, suppose you get someone in control of this system who is at loggerheads with the Tennessee Valley Authority, and they decide to open up the dams on the Tennessee in advance and let all that water out; then suppose the rains fail in the Tennessee Valley area. That is not at all beyond the realm of possibility. Such procedure would vastly injure the entire Tennessee Valley area.

The dams on the Tennessee are all controlled now from a central station. They keep in touch with the water on every tributary. They know when the floods are coming and by the pressing of a button or speaking over one microphone they can instruct them how to regulate the flow of the stream and how to control it to the best advantage. If you take that authority away from T. V. A. and place it under somebody else, you will do the Tennessee Valley Authority irreparable injury, in my opinion, and you will not have improved the flood control on the Mississippi River and the Ohio River, or any other river, and will have injured it as far as the Tennessee is concerned.

I hope the amendment will be adopted.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 5 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment in all fairness, if I may be permitted to say that, is a reflection on the T. V. A. It provides that this shall not apply to the T. V. A. In other words, it authorizes the T. V. A. to commit a fraud on those dams where there is space reserved for flood control. It says to them, "If that space is necessary it shall be applicable everywhere else in the United States except on the T. V. A." I do not have that opinion of the T. V. A. I do not want to authorize them to violate a mandate of Congress.

I do not want to authorize them to perpetrate a fraud by saying to them that

the space in the reservoir provided in the construction for flood control should not be utilized.

In all fairness and in all deference this amendment is worse than the other. I am the friend of the Tennessee Valley Authority, I have supported it; I would not want to do anything to interfere with its operation. All on earth this section does is to direct that when there is a flood and the Secretary of War, speaking for the Chief of Army Engineers, states that they need space up there and they make a regulation, the T. V. A. in its operation will provide for it only when there is a flood; and that is the only time they need the space.

Finally, the authors of the amendment are right. A divided authority over a responsibility often means no authority. A divided authority meant the misuse last year of flood space in the reservoir at Pensacola on the Arkansas River. A divided authority now between the Secretary of War, who could only ask for the space reserved for flood control, and the T. V. A., might mean the loss of life and the destruction of property.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. JENNINGS. Let me ask the distinguished gentleman from Tennessee if it is not a fact that the Tennessee Valley Authority has so operated these dams as to make all necessary contributions to flood control in the past?

Mr. WHITTINGTON. I will answer the gentleman by saying that I know of no guide for the future except the experience of the past. I am not going to discriminate and say that one authority is a saint and another is a sinner.

Mr. JENNINGS. But I am asking the gentleman a practical question.

Mr. WHITTINGTON. The only flood we have had since the Tennessee Valley Authority was established was in 1937 and there were no great floods on the gentleman's river or in the Tennessee Valley, that year.

Mr. JENNINGS. I have asked the gentleman—

Mr. WHITTINGTON. I have answered the gentleman's question by saying there has been no great, or maximum flood on the Tennessee River since the T. V. A. was authorized.

Mr. JENNINGS. Is it not a fact that the Tennessee Valley Authority has these dams for three purposes: The improvement of navigation, the control of floodwaters, and the production of power and that as a result of power operations it is now under contract—

Mr. WHITTINGTON. And nothing on earth—

Mr. JENNINGS. Let me finish my question.

Mr. WHITTINGTON. What is the gentleman's question?

Mr. JENNINGS. With 1,200 municipalities and over 200 war plants depending on the Tennessee production of power—

Mr. WHITTINGTON. The gentleman's question is fair; I know what he is referring to. There is nothing on earth—

Mr. JENNINGS. Should we under these circumstances run the risk of a power shortage or failure by the injection of some other agency into the control of waters of this area?

Mr. WHITTINGTON. Dealing with the development of power, in the section; but there was a provision as I recall in the 1941 act for a levee at Chattanooga on the Tennessee River in the vicinity of Union Station. That levee was made some 15 or 18 feet for a mile or so on the theory that the reservoirs would operate above it for flood control. That flood control was provided by the act establishing the T. V. A.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The question is on the amendment offered by the gentleman from Tennessee.

The question was taken; and on a division (demanded by Mr. GORE) there were—ayes 26, noes 65.

Mr. GORE. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. WHITTINGTON. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: Page 4, line 6, strike out the words "stored water" and insert in lieu thereof the word "storage."

Mr. WHITTINGTON. Mr. Chairman, this is a perfecting amendment. Its purpose is to do just what the committee has asserted and just what the committee has reported in the bill. The section under consideration provides that where there is water for reclamation of arid lands in any reservoir and provision therefor that the distribution of the water shall be by the Secretary of the Interior, the Director of Reclamation will handle the distribution; there was a criticism that this language which is substantially the reclamation law, undertook to change existing law and required the beneficiaries of reclamation to pay for water. This language in here is the language of the Reclamation Act and they pay only for storage.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: Page 4, line 2, after the word "regulation", insert the following: "Under existing reclamation law."

Mr. WHITTINGTON. Mr. Chairman, some of the friends and spokesmen for reclamation were critical of the language in the bill. It was asserted that where provision was made in a reservoir where there was water for reclamation that the Commissioner of Reclamation should have the power to prescribe regulations ad libitum without regard to existing law. This is merely a perfecting amendment. This amendment provides that these regulations shall be under existing reclamation law. It is a perfecting amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

The Clerk read as follows:

SEC. 6. Hereafter, whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. Such rates, as the Secretary of the Interior may deem reasonable, shall be charged for the use of said stored water; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts.

Mr. WHITTINGTON. Mr. Chairman, I offer a committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: Page 4, line 8, after the word "receipts", strike out the period, insert a colon and add: "Provided, That this section shall not apply to any dam or reservoir heretofore constructed which supplements any existing locally operated irrigation district."

Mr. WHITTINGTON. Mr. Chairman, this is a committee amendment and the committee authorized submission of the amendment after this set of facts was brought to its attention: At one or two reservoirs at least provision is made for the water for lands that are not presently under the Director of Reclamation in districts where the local interests have constructed their own canals and their own distribution system. The purpose of this amendment is to limit the provisions of this act so that they shall not apply to districts with canals and distribution facilities that have already been paid for and constructed by local interests.

It is a perfecting amendment in the interest of reclamation.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 7. That the following works of improvement for the benefit of navigation and the control of destructive flood waters and other purposes are hereby adopted and authorized in the interest of the national security and with a view toward providing an adequate reservoir of useful and worthy public works for the post-war construction program, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans in the respective reports herein-after designated and subject to the conditions set forth therein: *Provided*, that the necessary plans, specifications, and preliminary work may be prosecuted during the war, with funds from appropriations heretofore or hereafter made for flood control, so as to be ready for rapid inauguration of a post-war program of construction: *Provided further*, That when the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein authorized shall be initiated as expeditiously as may be consistent with budgetary requirements

and shall be prosecuted vigorously during the period of post-war reconversion: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War on the recommendation of the Chief of Engineers and the Federal Power Commission.

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin: *Provided*, That neither this authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site.

THAMES RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the act of August 18, 1941, for the Thames River Basin at an estimated cost of \$7,200,000.

HOUSATONIC RIVER BASIN

The project for the Thomaston Reservoir on the Naugatuck River, for flood control in the Housatonic River Basin, Conn., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 338, Seventy-seventh Congress, first session, at an estimated cost of \$5,151,000.

SUSQUEHANNA RIVER BASIN

The project authorized by the act of June 22, 1936, to provide for local protection works on the Susquehanna River at Harrisburg, Pa., is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 702, Seventy-seventh Congress, second session, at an estimated cost of \$2,227,000.

The project for flood protection at Tyrone, Pa., on the Little Juniata River, Pa., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 702, Seventy-seventh Congress, second session, at an estimated cost of \$1,392,000.

The plan for flood control in southern New York and eastern Pennsylvania authorized by the act of June 22, 1936, as modified by the act of August 18, 1941, is hereby further modified to include the South Plymouth and Genegantslet Reservoirs on tributaries of the Chenango River substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 702, Seventy-seventh Congress, second session, at an estimated additional cost of \$4,755,000.

The plan for the Raystown Reservoir on the Raystown Branch of the Juniata River, Pa., for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 702, Seventy-seventh Congress, second session, is approved, and there is hereby authorized to be appropriated the sum of \$2,000,000 for the initiation and partial accomplishment thereof.

MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the Allatoona Reservoir on the Etowah River, Ga., approved in the act of August 18, 1941, at an estimated cost of \$14,400,000.

LOWER MISSISSIPPI RIVER

The project for flood control and improvement of the lower Mississippi River adopted by the act of May 15, 1928, as amended by subsequent acts of Congress, is hereby modi-

fied in accordance with the recommendations of the Chief of Engineers in House Document No. 509, Seventy-eighth Congress, second session, and, as modified, is hereby adopted and there is hereby authorized to be appropriated, in addition to the sums previously authorized, \$200,000,000 for the accomplishment of the purposes set forth in said document.

The project for flood control on the Boeuf and Tensas Rivers and Bayou Macon, Ark. and La., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 151, Seventy-eighth Congress, second session, at an estimated cost of \$5,013,000.

The project for flood control on the Big Sunflower, Little Sunflower, Hushpuckena, and Quiver Rivers and their tributaries, and on Hull Brake-Mill Creek Canal, Bogue Phalia, Ditchlow Bayou, Deer Creek, and Steele Bayou, Miss., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 516, Seventy-eighth Congress, second session, at an estimated cost of \$3,752,000.

The project for flood protection in the backwater area of the Yazoo River authorized in the Flood Control Act of August 18, 1941, is hereby amended to authorize the Chief of Engineers, in his discretion, to include improvements for the protection of the Satartia area at an estimated additional cost of \$1,061,000 or, in his discretion, to include improvements for the protection of the Satartia area plus its extension at an estimated additional cost of \$1,952,000.

RED-OUACHITA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the act of August 18, 1941, for the Little Missouri River in Arkansas, at an estimated cost of \$3,800,000.

ARKANSAS RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$35,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Arkansas River Basin.

The projects for local flood protection on the Arkansas River are hereby modified and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 447, Seventy-eighth Congress, second session, at an estimated additional cost of \$10,299,400.

The project on tributaries of the Fountaine Que Bouille River for flood protection at Colorado Springs, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 186, Seventy-eighth Congress, first session, at an estimated cost of \$500,000.

The project on Purgatoire River for local flood protection at Trinidad, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 387, Seventy-eighth Congress, second session, at an estimated cost of \$909,000.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$45,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the White River Basin.

UPPER MISSISSIPPI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Upper Mississippi River Basin.

The project authorized by the act of June 22, 1936, for local flood protection on the Mississippi River at the Ste. Genevieve Levee District No. 1, Missouri, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 727, Seventy-seventh Congress, second session, at an estimated cost of \$141,000.

The project on the Mississippi River for local flood protection at Sabula, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 328, Seventy-seventh Congress, first session, at an estimated cost of \$25,000.

The project on the Galena River, for local flood protection at Galena, Ill., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 336, Seventy-seventh Congress, first session, at an estimated cost of \$300,000.

The project for flood control on the Illinois River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 692, Seventy-seventh Congress, second session, at an estimated cost of \$111,500.

The project on Elk Creek and Turkey River for local flood protection at Elkport, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 700, Seventy-seventh Congress, second session, at an estimated cost of \$13,000.

RED RIVER OF THE NORTH BASIN

The projects for flood control for Red Lake River, Minn., including Clearwater River, Minn., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 345, Seventy-eighth Congress, first session, at an estimated cost of \$902,940.

MISSOURI RIVER BASIN

The general comprehensive plan for flood control and other purposes in the Missouri River Basin approved by the act of June 28, 1938, as modified by subsequent acts, as hereby expanded to include the plan of improvement for flood control, irrigation, power development, navigation, and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 475, Seventy-eighth Congress, second session; and as expanded is approved; and, in addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$200,000,000 for the partial accomplishment of the comprehensive plan as modified and expanded: *Provided*, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law: *And provided further*, That portions of the storage authorized for the main stem of the river shall be placed on tributaries if the Secretary of War and the Chief of Engineers find such action advisable for silt control and in order to make more water readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost.

The project adopted by the act of June 22, 1936, to provide flood protection for the Kansas Citys, Kans. and Mo., is hereby modified and extended to provide for improvement substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 342, Seventy-eighth Congress, first session, at an estimated additional cost for the modified project of \$8,445,000.

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the act of August 18,

1941, for Cherry Creek and tributaries, Colorado, at an estimated cost of \$7,500,000.

The project on Knife River for local flood control at Beulah, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 252, Seventy-eighth Congress, first session, at an estimated cost of \$26,100.

The project on Knife River for local flood control at Hazen, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 252, Seventy-eighth Congress, first session, at an estimated cost of \$6,600.

The project on Milk River adopted by the act of June 22, 1936, to provide local flood protection at Harlem, Mont., is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 103, Seventy-eighth Congress, first session, at an estimated cost of \$21,100.

The project on Milk River for local flood protection at Havre, Mont., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 103, Seventy-eighth Congress, first session, at an estimated cost of \$313,100.

The project on Boyer River for local flood control on East Fork of Boyer River at Denison, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 254, Seventy-eighth Congress, first session, at an estimated cost of \$17,830.

The project on Nishnabotna River for local flood control at Hamburg, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 253, Seventy-eighth Congress, first session, at an estimated cost of \$236,000.

The project on Bear Creek for local flood protection at Morrison, Colo., is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in House Document No. 356, Seventy-eighth Congress, first session, at an estimated cost of \$220,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$70,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Ohio River Basin, including the following projects in tributary basins, namely:

The local flood protection works in the Lake Chautauqua and Chadakoin River area, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 685, Seventy-seventh Congress, second session, at an estimated cost of \$135,500;

The local flood protection works at Dillonvale and Adena on Short Creek, Ohio, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 889, Seventy-seventh Congress, second session, at an estimated cost of \$158,200;

The local flood protection works at Taylorsville on Salt River, Ky., substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 105, Seventy-eighth Congress, first session, at an estimated cost of \$129,350;

The local flood-protection works at Latrobe on Loyalhanna Creek, Pa., substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 444, Seventy-eighth Congress, second session, at an estimated cost of \$112,500;

The Burr Oak Reservoir on the Hocking River, Ohio, substantially in accordance with

the recommendations of the Chief of Engineers in House Document No. 762, Seventy-seventh Congress, second session, at an estimated cost of \$400,000;

The Rowlesburg Reservoir on the Cheat River, substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on November 26, 1942, at an estimated cost of \$29,230,000; and

The improvement in the Youghiogheny River Basin, substantially in accordance with the recommendations of the Chief of Engineers in a report submitted to Congress by the Secretary of War on March 29, 1943, at an estimated cost of \$37,970,000.

GREAT LAKES BASIN

The project for the Panther Mountain Reservoir on Moose River, N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 405, Seventy-seventh Congress, first session, at an estimated cost of \$600,000.

The project for flood control on Chittenango Creek and tributaries, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 625, Seventy-seventh Congress, second session, at an estimated cost of \$111,000.

The projects for flood control on Owasco Inlet and Outlet, Montville and Dry Creeks, State Ditch, and Crane Brook, N. Y., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 815, Seventy-seventh Congress, second session, at an estimated cost of \$64,200.

COLORADO RIVER BASIN, TEX.

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the act of August 18, 1941, for the North Concho River, Tex., at an estimated cost of \$4,800,000.

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the act of August 18, 1941, for Pecan Bayou, Tex., at an estimated cost of \$1,569,000.

BRAZOS RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of Whitney Reservoir in accordance with the plan approved in the act of August 18, 1941, for the Brazos River Basin, at an estimated cost of \$15,000,000.

RIO GRANDE BASIN

The project on Willow Creek for local flood protection at Creede, Colo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 104, Seventy-eighth Congress, first session, at an estimated cost of \$68,500.

SAN DIEGO RIVER BASIN

The project on the San Diego River for local flood protection at San Diego, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 635, Seventy-seventh Congress, second session, at an estimated cost of \$370,000.

VENTURA RIVER BASIN

The projects on the Ventura River and tributaries for local flood protection at Ventura and Ojai, Calif., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 323, Seventy-seventh Congress, first session, at an estimated cost of \$1,600,000.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the projects approved in the act of June 22,

1936, as modified by the act of June 28, 1938, for the Santa Ana River Basin and for the protection of Orange County, Calif., including the projects on Lytle and Cajon Creeks for local flood protection at San Bernardino and Colton, Calif., in accordance with the recommendations contained in the report of the Chief of Engineers dated February 11, 1944.

LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$25,000,000 for the prosecution of the comprehensive plan approved in the act of August 18, 1941, for Los Angeles and San Gabriel Rivers and Ballona Creek, Calif.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

Sacramento River

The projects for the control of floods and other purposes on the Sacramento River, Calif., adopted by the acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendation of the Board of Engineers for Rivers and Harbors dated February 7, 1944, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$46,056,000; and, in addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$15,000,000 for the prosecution of the modified projects: *Provided*, That this modification of the project shall not be construed to authorize the construction of a high dam at the Table Mountain site.

San Joaquin River

The project for the Isabella Reservoir on the Kern River for flood control and other purposes in the San Joaquin Valley, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated January 26, 1944, contained in House Document No. —, Seventy-eighth Congress, second session, at an estimated cost of \$6,800,000.

The plan for the Terminus and Success Reservoirs on the Kaweah and Tule Rivers for flood control and other purposes in the San Joaquin Valley, Calif., in accordance with the recommendations of the Chief of Engineers in Flood Control Committee Document No. 1, Seventy-eighth Congress, second session, is approved, and there is hereby authorized \$4,600,000 for initiation and partial accomplishment of the plan.

The project for flood control and other purposes for the Kings River and Tulare Lake Basin, Calif., is hereby authorized substantially in accordance with the plans contained in House Document No. 630, Seventy-sixth Congress, third session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable at an estimated cost of \$19,700,000: *Provided*, That the conditions of local cooperation specified in said document shall not apply: *Provided further*, That the Secretary of War shall make arrangements for payment to the United States by the State or other responsible agency, either in lump sum or annual installments, for conservation storage when used: *Provided further*, That the division of costs between flood control and irrigation and other water uses shall be determined by the Secretary of War on the basis of continuing studies by the Bureau of Reclamation, the War Department, and the local organizations.

The plan of improvement for local flood protection on various streams in the Merced County stream group in the San Joaquin Valley is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 473, Seventy-eighth Congress, second session, at an estimated cost of \$1,300,000.

The plan of improvement for flood control and other purposes on the Lower San Joaquin River and tributaries, including Tuolumne and Stanislaus Rivers, in accordance with the recommendations of the Chief of Engineers in Flood Control Committee Document No. 2, Seventy-eighth Congress, second session, is approved, and there is hereby authorized \$8,000,000 for initiation and partial accomplishment of the plan.

COQUILLE RIVER BASIN

The project for flood protection on the Coquille River, Oreg., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 620, Seventy-seventh Congress, second session, at an estimated cost of \$143,000.

NEHALEM RIVER BASIN

The project for flood protection on the Nehalem River, Oreg., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 621, Seventy-seventh Congress, second session, at an estimated cost of \$23,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$20,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, for the Willamette River Basin, with such modifications thereof as in the discretion of the Chief of Engineers may be advisable.

COLUMBIA RIVER BASIN

The projects on the Snake River for local flood protection at Heise, Roberts, and Weiser, Idaho, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 452, Seventy-seventh Congress, first session, at an estimated cost of \$743,000.

The projects on the Palouse River and tributaries for local flood protection at Pullman and Colfax, Wash., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 888, Seventy-seventh Congress, second session, at an estimated cost of \$478,000.

The project on Alkali Canyon for local flood protection at Arlington, Oreg., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 631, Seventy-seventh Congress, second session, at an estimated cost of \$118,000.

WILLAPA RIVER BASIN

The project on the Willapa River for local flood protection at Raymond, Wash., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 701, Seventy-seventh Congress, second session, at an estimated cost of \$127,000.

Mr. WHITTINGTON. Mr. Chairman, I offer a committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: Page 5, strike out all of line 2 after the word "herein" and all of lines 3 and 4 and all of line 5, including the word "reconversion" and insert in lieu thereof the following: "shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements."

Mr. WHITTINGTON. Mr. Chairman, with the indulgence of the Committee permit me to say that the language stricken out on page 5 of the bill is as follows:

Shall be initiated as expeditiously as may be consistent with budgetary requirements

and shall be prosecuted vigorously during the period of post-war reconversion.

The Director of the Budget suggested in lieu of that language the language of the amendment that I have sent to the Clerk's desk. I think it means the same thing and the committee is agreeable to the language suggested by the Director of the Budget rather than the language of the bill.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I offer a committee amendment in exactly the same language on page 27 of the bill where this language I have directed attention to occurs again.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: Page 27, strike out all of line 9 after the word "herein" and all of lines 10, 11, and 12 and insert in lieu thereof the following: "shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements."

Mr. WHITTINGTON. Mr. Chairman, the identical language is stricken and the same language substituted as in the previous amendment, applicable to page 5.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I have one further committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. WHITTINGTON: On page 20, line 11, strike out the period after the word "site" and add the following words: "But shall authorize only the low level project to approximately the elevation of 400 feet above mean sea level, said low level dam to be built on a foundation sufficient for such dam and not on a foundation for future construction of a higher dam."

Mr. WHITTINGTON. Mr. Chairman, this proviso has reference to a project along the Sacramento River. The present proviso in the bill is in the following language:

Provided, That this modification of the project shall not be construed to authorize the construction of a high dam at the Table Mountain site.

The language that I have submitted in the amendment proposed is the language that the Member from that district involved, the gentleman from California [Mr. ENGLE] has suggested, which the Corps of Engineers has approved. It means exactly the same as the language in the bill and the committee has no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. STEARNS of New Hampshire. Mr. Chairman, I offer an amendment which I send to the clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. STEARNS of New Hampshire. Page 5, at the end of line 10, insert:

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control; to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with the appropriate and economic use of the waters of such rivers by other users.

"In conformity with this policy, any works of improvement for navigation or flood control herein or hereafter authorized for construction by the Chief of Engineers under the supervision of the Secretary of War affecting the use of waters in the rivers of the Nation shall be governed by the following provisions and conditions:

"(a) Works herein authorized shall not be undertaken until an investigation and a report thereon have been made and approved by the Congress, as provided in (b), in any case where the Governor of any State in which the works or any part thereof are located or in which arise any of the waters which are required therefor, files a written objection thereto with the Secretary of War within 3 months after the date of this act.

"(b) Such works hereafter authorized for construction shall not be undertaken until after the making of an investigation, and the submission to and approval by the Congress of a report as provided in this paragraph. The investigation and report shall be made to the end, among other things, of providing for the coordination of plans for the construction and operation of the proposed works with other plans for the use of waters that would be affected thereby. In conformity with this requirement, the Secretary of War is hereby directed to investigate such proposed works for navigation or flood control in cooperation with the State or States in which the works or any part thereof are to be located and in which arise any of the waters that would be required therefor, and, in the case of works that might require the use of waters arising west of the ninety-seventh meridian, in cooperation also, with the Secretary of the Interior. Reports based on such cooperative investigations, to be submitted to the Congress, shall set out therein, among other things, the relationship between the construction and operation of the proposed works and the plans of the various States respecting the affected waters, the views and recommendations of the affected States with respect to the proposed works; and in the case of investigations made in cooperation with the Secretary of the Interior, the relationship between the construction and the operation of the proposed works and existing and potential beneficial consumptive uses of waters west of the ninety-seventh meridian, and between plans developed or being developed by the Secretary of the Interior for the reclamation of the arid lands and purposes incidental thereto, and the views and recommendations of the Secretary of the Interior with particular reference to these matters. Such reports shall be effective only when approved by the Congress."

Mr. STEARNS of New Hampshire. Mr. Chairman, I move the adoption of the amendment as read. This amendment admittedly is somewhat long. My remarks on it are going to be appreciably more brief. Under the circumstances the

amendment, in order to cover the ground, has to be long, but in reality there is nothing complex or involved about it. Its purpose, clearly stated in the first paragraph, is to protect the States against developments within their borders, which would be detrimental to them. The amendment does not provide—and I want to emphasize this—that any State can permanently block a necessary project. Neither does it create unnecessary delay in the case of future authorizations as provided in section (b). The procedure would be essentially no different from that which is now followed. The time involved would be no greater. Even in the case of section (a), works included in the present authorization, there is no question of construction beginning until after the close of the war, and there is no reason for any objection to the delay that might be involved.

The amendment simply makes mandatory that proposed projects shall be examined by the Secretary of War in cooperation with the State or States affected, and in the case of waters west of the ninety-seventh meridian in cooperation with the Secretary of the Interior. It thus makes certain that in all cases the position of the State or States with reference to construction and operation of a project shall come officially before Congress in the Army engineers' reports. Whereas the facts are sometimes brought before the Army engineer's, they recognize the States' right to be heard in these matters, and so long as we continue to be a Federal Government, composed of 48 States, it preserves to the individual State the rights to which its self-respect and dignity entitle it.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. STEARNS of New Hampshire. I yield to the gentleman from Michigan.

Mr. DONDERO. Is this not the same language that was stricken out of the river and harbor bill, or similar to an amendment that was rejected in the House when the river and harbor bill was under consideration?

Mr. STEARNS of New Hampshire. I do not have the text of that amendment before me.

Mr. CURTIS. Mr. Chairman, I rise in opposition to the amendment.

I have very high regard for the gentleman who offered this amendment, but I do not believe the proposed language should be written into the flood control law of the land. I do not think that it could be charged that I am one who disregards local and State rights in reference to water. As a matter of fact, when the rivers and harbors bill was before the House I spoke in favor of the amendment and voted for all of the amendments to give priority to the rights of the local irrigators and users of water.

However, in the amendment that is before us now we have a different proposition. As I understand this amendment, it would mean that every project we have authorized today by this act would have to be resurveyed, another report brought back to the Congress,

and then Congress would have to authorize it again; more surveys, more reports, more waiting, more expense.

There are rivers in the country that have had very serious flood-control problems, where the damages run into the millions of dollars and cost hundreds of lives. For year after year they have had surveys and resurveys and meetings and pep meetings and surveys and more surveys, and the people are tired of it. There is not a project here which does not have the approval of the district engineer, the division engineer, the Board of Review of Rivers and Harbors and the Chief of Engineers. To enact a provision in this bill that says we propose to authorize some work and that this authorization does not count until you have another survey, another report back to Congress and another act of Congress, is rather confusing. It is unfair to the people who will be benefited by this bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In the course of those surveys by the district engineers and the United States Army engineers Corps, public hearings are held, not only locally, but here in Washington, and an opportunity is afforded to anyone who desires to present his views; is that not correct?

Mr. CURTIS. That is correct.

I am very much in accord with the objective of the amendment to grant every possible consideration to local interests. I am very much in accord with the idea that State authorities should be consulted in these matters, but I do not believe that we can win the respect of the country by making our procedure more cumbersome and say that we are going to have two acts of Congress to authorize what we say we are authorizing today.

(Mr. CURTIS asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. MOTT. Mr. Chairman, I move to strike out the last word.

There are a number of projects in this authorization bill which are located in the State of Oregon, and I want to take this opportunity to congratulate the distinguished chairman of the Committee on Flood Control and his colleagues on their wisdom and foresight in including these projects in the bill. Several of those Oregon projects are in my own congressional district, and I confess to a certain degree of personal satisfaction in the generous treatment they have received from the committee because all of those projects were initiated by myself, as the Representative in Congress from that district, and all of them had their origin in the resolution which I introduced providing for the initial surveys.

The Willamette River Basin flood-control project when completed will be one of the most comprehensive flood control projects in the entire world. It will not only stop the disastrous floods in the valley but it will also irrigate the entire area through which that great river flows.

This is the third authorization made by the Congress for this great project, which has been declared by the Army engineers to be one of the most perfect multi-purpose projects of its kind in the United States, and one of the most beneficial.

Since I introduced the resolution authorizing the first survey several years ago the project has expanded in scope beyond the original expectations of either the engineers or the people in the Willamette Valley who will benefit most directly by it. Already there has been authorized for the project \$22,300,000, most of which has been appropriated and spent in construction. This bill authorizes \$20,000,000 more, and I am glad to note that the committee recommends the expenditure of that additional amount immediately following the close of the war. This project has been given a very high post-war priority and it distinctly merits it.

Both for the information of my colleagues and of the people of the Willamette Valley, who are so vitally interested in this project, I should like to read here a portion of the committee's report, showing the scope of the project and the progress which has been made to date.

The Willamette River is formed by the Coast and Middle Forks, which join a few miles above Eugene, Oreg. The river then flows north 189 miles to enter the Columbia River 99 miles above its mouth. The Willamette Basin lies between the Cascade Range on the east and the coast range on the west. The mountainous areas, which comprise a large part of the basin, are characteristically rugged and generally covered by forests. The valley floor proper is a broad alluvial plain through which the main stream and the lower sections of its tributaries flow in winding courses. The basin has a drainage area of 11,200 square miles. The population is approximately 650,000, engaged in farming and forestry and the processing of those products. The farm lands in the valley are very fertile and are intensely cultivated.

Floods in the basin may be expected from November through April and major floods occur in the period from late November to early February. Flood damages to farm lands and communities are very heavy. The most recent flood in this area occurred in the period between December 31, 1942, and January 4, 1943, when the stage at Albany exceeded bank-full stage by 13.6 feet and an area of 342,300 acres was inundated, causing damage estimated at \$5,708,000.

Congress authorized bank-protection works at several localities in the basin in the Flood Control Act of 1936 and in the act of June 28, 1938, approved the general comprehensive plan for flood control, navigation, and other purposes in the Willamette River Basin as set forth in House Document No. 544, Seventy-fifth Congress, third session, and authorized \$11,300,000 for the initiation and partial accomplishment of that plan. The Flood Control Act of 1941 authorized an additional appropriation of \$11,000,000 for the prosecution of this comprehensive plan. With authorization of funds thus far provided by Congress the

War Department has completed most of the bank-protection works along the Willamette, Clackamas, Molalla, and Santiam Rivers, and the Fern Ridge and Cottage Grove Reservoirs. The preparation of detailed plans for four other reservoirs in the approved plan is well under way.

The committee recognizes the importance of carrying forward the flood-protection works in the Willamette River Basin to an early completion and it believes that the sum of \$20,000,000 should be authorized at this time in order that this important work may continue immediately following the cessation of hostilities.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and to include therein data contained in the committee's report on this project, a part of which I have just read.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Arizona.

Mr. MURDOCK. Did the gentleman say that there were certain projects the surveys of which had not been completed, and which were not included because the surveys were not completed?

Mr. MOTT. No; I did not say that. I said there were a number of authorized Oregon projects in the bill, and I was calling particular attention to one of the major ones in western Oregon, in the first district of that State, which I have the honor to represent. The survey for this particular project was completed more than 5 years ago and the construction has been under way for 4 years. Surveys for the other Oregon project were completed more recently, but they have all been completed, and approved.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I was very much impressed by the question asked by the gentleman from Michigan of the gentleman from New Hampshire [Mr. STEARNS], the author of the pending amendment, and I want to be kindly disposed when he asked him if his amendment did not embrace matters that were defeated on the floor of the House during the consideration of the river and harbor bill a few weeks ago. The gentleman very frankly responded that he was not aware. If the question had been asked him just what his amendment embraced and who was responsible for it, I think he might have answered in a similar way and said that he did not know, because whether he knows it or not, this amendment is contradictory, and would destroy flood control.

There would not be any flood control or reclamation or other projects under

the proposed amendment. Somebody has imposed on the gentleman, I say with all due deference, and there have been cooked up into one amendment offered by him a lot of the unfounded fears that have been conjured up by some of the people in the far West with respect to reclamation.

For instance, there is a provision here that one law shall apply east of the ninety-seventh meridian and another west of the ninety-seventh meridian. Whether the gentleman knows it or not, under the Constitution of the United States the same law must apply everywhere where the facts are identical, because the Constitution is applicable both east and west of the ninety-seventh meridian.

Again, the gentleman says that all of the projects that are approved in this bill shall be referred to the Bureau of Reclamation and to the other services, when in truth and in fact, whether the gentleman knows it or not, under the regulations of the President of the United States, the Director of the Budget now directs that before any recommendations can be submitted by the Chief of Engineers or by the Secretary of War they must be referred to the Commissioner of Reclamation, the Federal Power Commission, and other agencies of the Government that may be interested. So there would be a case of going up the hill again after we have already made the trip down. All of those precautions are provided for in the existing Budget requirements.

Moreover, with respect to the doctrine of the appropriation of waters west of the ninety-seventh meridian, permit me to say that there are flood-control projects in this bill for the protection of the city of Los Angeles, with 1,500,000 people. There are projects in this bill west of the ninety-seventh meridian for the protection of the people of the Sacramento Valley, where the Congress of the United States has been making flood-control appropriations since 1917.

There are items in this bill for the protection of the magnificent valleys of the Kings and Kern Rivers, where the people for more than 75 years have constructed their own local protective works, where millions of dollars have been invested in local protection works. Yet under the gentleman's amendment, all of these matters would be thrown into the ashcan and hereafter they shall be under the supervision of the Commissioner of Reclamation, if those responsible and fostering the gentleman's amendment have their way.

Again, this bill provides for magnificent flood-control projects in the State of Oregon in the Willamette Valley, one of the most magnificent valleys and one of the best flood-control projects in the United States. All projects are now referred, and properly so, for comment to the Director of Reclamation and the Federal Power Commission, under the direction of the President of the United States, before they are transmitted to the Congress. The Director of the Budget requires that all comments and all criticism of every project be embraced in the reports.

Mr. Chairman, whether the gentleman knows it or not, one of the best projects in this bill is for the protection of New England. I give it to you as my deliberate judgment, and I know something of every river in the United States—mark my words, I measure my statement when I say there is more nearly complete protection for the Connecticut Valley in New England in this bill than for any other part of the United States.

Mr. Chairman, I ask that the amendment be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Hampshire [Mr. STEARNS].

The amendment was rejected.

Mr. PLUMLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PLUMLEY: On page 5, line 18, after the article "a", strike out the word "high."

Mr. PLUMLEY. Mr. Chairman, since I arrived on the floor I have received a telegram concerning which I wish to make a comment or two, and it will take me more than 5 minutes. I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Chairman, I used up a lot of time yesterday undertaking to define my position with respect to this bill. I shall not take much time now.

I stated the reasons why I proposed to offer this amendment.

Personally and officially I am opposed to any dam at the proposed Williamsville site such as is contemplated. There is no exigency, no emergency, no hurry, which necessitates action at this time in the Connecticut River Valley area.

It may be that the so-called program now calls for a dam at the Williamsville site. This is not conclusive of the need therefor.

Competent engineers advise me that there are other ways to accomplish the necessary flood control without disrupting the program or destroying so much property, or interfering with so many lives as does the proposed establishment of the Williamsville Dam. Even a low dam, whatever that is or may be, for its height and its definition is left to the discretion of the Army engineers.

You see, Mr. Chairman, this low dam destroys 4 cemeteries, one of 50 graves, one of 300 graves, another of 300 graves, and the fourth of 200 graves, a total of 850 graves. Some of them are of men who were at Westminster, Vt., where the first blood of the Revolution was shed.

It is to be 460 feet above mean sea level, and 180 feet high from the foundation. It will flood 2,700 acres destroying two villages, namely, West Dummerston and Harmonyville, where incidentally, there is everything but harmony with respect to the prospect of its destruction.

Some 144 buildings will be inundated including schools and churches.

So I am opposed to the plan as proposed. You would be, did it involve the people of your district.

It is true the compacts are out of the window, but even the Federal Government should show some respect for States which evidenced their desire to contract to establish flood control and did compact so to do.

Since it is a matter of record that there are other plans which do not involve destruction and devastation but afford ample protection for flood control, I insist that neither the authorization in this bill, nor previous authorizations should be construed to authorize the construction of any dam at the Williamsville site, and therefore, to accomplish this purpose the bill should be amended as I suggest: On page 5, line 18, by striking out the word "high." The proviso will then read:

Provided, That neither this authorization, nor previous authorizations, shall be construed to authorize the construction of a dam at the Williamsville site.

This should be done in order that more complete and full and ample consideration and further hearings may be had, and that the rights and interests of the several States involved and affected may be taken into consideration more completely and fully protected.

The excuse and justification offered for Federal interference is based on the argument that States will not enter into compacts. The States involved in this controversy did enter into a compact; therefore, that argument falls flat. They agreed; they legislated; they made a compact "out of the window." They are nevertheless entitled to be heard before sentence is pronounced and they are dictatorially executed on a Federal altar.

I desire to read a telegram I have just received:

SPRINGFIELD, VT., May 8, 1944.

HON. CHARLES A. PLUMLEY,
House of Representatives Office Building,
Washington, D. C.:

Am informed it is reported I stated before Flood Control Committee in House of Representatives that Vermont would be satisfied with a dam on West River if power potentialities were eliminated. Such report entirely erroneous, if alleged to be a quotation, it is incorrect. We urge such flood-control construction as will safeguard persons and property along lower Connecticut River and at same time preserve and not destroy West River Valley. I request you carry this message to the House. What is a high dam?

ALBAN J. PARKER,

State of Vermont Attorney General.

The attorney general opposed the construction of any dam at the Williamsville site. He favored, instead, a number of small dams in that basin, which would give equal or a greater amount of flood-control storage for the benefit of the lower Connecticut River Valley area, and would give the West River Valley area flood protection also, while not destroying its essential character.

The attorney general spoke officially for the State.

Mr. MILLER of Connecticut. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not want to participate in any civil war in New England and I regret the necessity of rising in opposition to the amendment of my colleague from Vermont. As a matter of fact, the striking out of the word "high"

in the proviso inserted in this bill, as suggested by the gentleman from Vermont [Mr. PLUMLEY], would leave the proviso reading, "neither this authorization nor previous authorizations shall be construed to authorize the construction of a dam at the Williamsville site."

I want to call attention to the fact that the proposed dam at the Williamsville site is one of 20 approved by the Army engineers and approved by Congress. Three of these reservoirs have been built and money is authorized in this bill for the other 17 reservoirs. There is no more reason why Congress should say there shall not be a flood-control reservoir at Williamsville than we should say there shall not be a flood-control reservoir at any other town in Vermont. Congress cannot pick the site for these flood-control reservoirs. We have got to leave that to the Army engineers. I think when the committee added this proviso eliminating the high dam at Williamsville, they assured the people of Vermont that there would be no more land flooded than was absolutely necessary to carry out their plan of flood control, and for flood control alone. I concurred in the statements made before the Committee on Flood Control by the distinguished attorney general from Vermont and I am so quoted in the record. If this bill provided funds as had been contemplated for erecting a \$29,000,000 dam and reservoir at Williamsville, I would be fighting side by side with the gentleman from Vermont [Mr. PLUMLEY] to strike that item from the bill. But so long as the Williamsville Dam and Reservoir is nothing more than a flood-control dam and reservoir like the other 19 reservoirs, I do not believe the amendment should be adopted. We continue to leave the decisions as to the location of these flood-control reservoirs with the Army engineers.

(By unanimous consent, Mr. MILLER of Connecticut received permission to revise and extend his remarks.)

Mr. CLASON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it perhaps will be interesting to the members of the committee to know that there have been 3 major floods on the Connecticut River in the last 17 years; in 1927, 1936, and 1938. Those 3 floods took 28 lives and caused property loss to the extent of \$144,000,000. These floods come too frequently. Each year we suffer damages amounting on the average, according to the Army engineers, to more than \$3,800,000 in the Connecticut Valley. Even in those years when we have only spring freshets, our losses run into hundreds of thousands of dollars, due to damage done in smaller agricultural and industrial towns. In order to offset these great losses which have occurred, as I say, in the past 17 years, the Army engineers have come forward with a program of local protective works at 7 cities and towns and for the construction of 20 reservoirs. These are small reservoirs. Of these 20 reservoirs, the largest is the reservoir to which this amendment is directed. The total number of square miles drained by the tributaries whose waters would be impounded in the 20 reservoirs is about

2,500. This reservoir alone represents 400 square miles or about one-sixth of the entire program. It is all-important to the people of Hartford, Springfield, and Holyoke, and of all the cities and towns in Massachusetts and Connecticut, as well as in New Hampshire and in Vermont, which lie on the Connecticut River, that this dam remain in the program. The Army engineers have told us time and time again it is the most important dam that we have. If we go through with this program, for which the Government has already appropriated or authorized the expenditure of \$40,000,000, to leave out this dam would be like the boy in Holland with the dike. You would have a complete, beautiful dike, but you would have a hole in it, and no one would be plugging the hole. The result would be we would suffer huge losses along this river, regardless of how much we had expended on the other 19 dams.

For that reason I feel that this committee, knowing these facts and of these losses of over \$144,000,000 in the 17 years in 3 separate floods, plus the loss of 28 lives, will not want to stand in the way of the recommendations of the Army engineers. Only yesterday the gentleman from Vermont [Mr. PLUMLEY] stated he wanted it distinctly understood that he is all for flood control, and his constituents are incontrovertably for flood control. This is a chance for him to prove it, because this is the most important flood-control reservoir that there would be in the entire Connecticut Valley. Yesterday a former Governor of Massachusetts, our colleague, who knows about what has been going on in our New England States, said that the compacts to which the gentleman from Vermont referred in his speech, cannot possibly be carried out between the several States. In other words, about \$5,000,000,000 may have to be used in order to have complete flood control in this country. In those basins which lie in more than one State, as the Governor stated yesterday, you cannot expect the States to take on any such burden. The compacts in New England which were referred to and which were voted down and rejected by this body back in 1938, provided for only eight small dams, and they included power. Power has been taken out of this dam in order to meet the objections of the people of Vermont. All we ask for is a low dam for flood-control purposes only. The reservoir will be in a valley where 76 percent of the land is wooded.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CLASON received permission to revise and extend his remarks.)

Mr. McCORMACK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I hesitate to enter into this very pleasant and interesting Republican dispute from New England, but coming from New England myself, I enter as one who represents a district in that section of the country. It is also pleasing to me, as the author, in 1938, of the 100-percent Federal contribution for flood-control dams, to note my Republican brethren from New England,

every one of whom were here at that time, opposed it, that they have seen the light and now support the position that I took then. I see the gentleman from Vermont [Mr. PLUMLEY] in a nice, pleasant way chastising me by indicating that he was the other way. Well, I cannot challenge him because I have too much affection for him to take issue with him even if my recollection was to the contrary.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Does the gentleman want to get into this New England pleasantries? I yield.

Mr. CHURCH. Would not the gentleman still favor the compact method of the States rather than the method provided in this bill?

Mr. McCORMACK. The gentleman introduced the law under which these authorizations are being made. The gentleman from Massachusetts comes from an area that has no flood problems. But the gentleman from the Boston section of New England, who is now speaking, always thought that the problems of the people of other sections of the country were the problems of the people of my section, and I am glad to see my New England brethren on the Republican side getting away from their economic provincialism in considering the problems of the people of other sections of the country.

So my purpose in rising was not so much to enter into a Republican dispute of a pleasant nature but, perhaps with a little pride, to refresh the recollection of my Republican brethren from New England when they condemned me as a violator of States' rights in 1938, when the only thing I stood for was that where a river flowed between two or more States—I do not care where they are located, north, east, south, or west—and the people of the area in which the river flowed were affected by floods, loss of life, and loss of property, that was a challenge to the Federal Government and not to the State governments. That was the broad viewpoint I always took, and I am somewhat proud of the fact that the existing law was introduced by myself. I am particularly pleased to note my Republican friends from New England, who were here in 1938—mark you, I say 1938—honestly opposing then after the experience of the past several years has shown that my humble leadership at that time was for the best interests of the country and for the best interests of New England following me now.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MILLER of Connecticut. Perhaps it is possible that some of the Republican friends from New England know when they are licked, but we do not want to be drowned after that.

Mr. McCORMACK. Correct. Open confession is always good for the soul, according to the old saying. In any event, as I recollect, my friend is excluded from my remarks, as he was not here in 1938.

As far as the amendment is concerned, with this little pleasant exchange re-

freshing history for the benefit of New England only, I hope the amendment of my friend from Vermont [Mr. PLUMLEY] will be defeated.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection? There was no objection.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as a citizen of the State of Jefferson Davis, standing for State rights from my youth up, I rather hesitate to enter into this controversy with Vermont, because it might serve to remind of the days of '63, when my relatives and some citizens from Vermont had some differences that were adjusted at Vicksburg against Mississippi's better judgment. But I should like to say there is not a Member of the House for whom I entertain a higher personal regard than my good friend the gentleman from Vermont [Mr. PLUMLEY]. For many years, as a voice crying in the wilderness, there were those of us who defended reservoirs to detain the floodwaters in the hills where they originate, as a contribution to the solution of flood control. Among the first reservoirs for flood control that I ever saw, among the first constructed in the United States, were some reservoirs in the magnificent State of Vermont. I shall never forget a trip I made across the beautiful Green Mountains one afternoon, in driving out from Montpelier. Interested in mountains and streams as I am, I visited among the first flood-control reservoirs constructed east of the Mississippi River for flood control in the State of Vermont. They protected the lands below. As a member of the Committee on Flood Control, I received an inspiration, and we provided for reservoirs in every flood-control act, beginning with the act of 1936.

The amendment offered by the gentleman from Vermont [Mr. PLUMLEY] if adopted, would be—pardon me for saying it—worse than ridiculous. Under the adopted project for the Connecticut River Basin for the protection of Holyoke, Springfield, Hartford, and the valley up the river, there are some 14 to 19 reservoirs authorized, as I recall, 5 being in the State of New Hampshire—the river dividing those 2 beautiful, magnificent, and fine States—9 of them being in the State of Vermont. The closest of these reservoirs to Massachusetts, as I recall, is the reservoir that the gentleman would strike out of this bill. So they would leave in the act the reservoirs that really occupy other narrow valleys of Vermont farther up the State. It is really most unsound to contemplate the elimination of 1 reservoir near the boundary of Massachusetts, and there are several in Massachusetts, 1 or 2 of which have already been constructed, as recall, just to strike out 1 reservoir that is farthest away from most of the people in Vermont. In my judgment, the \$30,000,000 authorized in this

bill for the further protection of the valley would be jeopardized, because the millions of money spent for the construction of levees and flood walls at Springfield, Hartford, Holyoke, and other cities was all expended and the heights of flood walls and levees were fixed in consideration of the benefits of the reservoirs that were to be constructed above.

I repeat, Mr. Chairman, that there is no more generous flood-control project in the United States, none any more nearly completely provided for, than that along the Connecticut River, in the flood-control acts, beginning with the act of 1936, and perfected in the pending bill.

With all deference, I trust that the amendment of my friend the gentleman from Vermont [Mr. PLUMLEY] in the interest of flood control in New England, will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. PLUMLEY].

The amendment was rejected.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: On page 6, line 16, after the amount strike out the period, insert a comma, and the following: "And is further modified to include flood-control work and structures in the greater Endicott-Vestal-Johnson City area on the Susquehanna River at cost not exceeding \$500,000."

Mr. EDWIN ARTHUR HALL. Mr. Chairman, a few years ago, the distinguished chairman of the committee and several of his colleagues made a trip into up-State New York and examined flood damage done by the Chenango and Susquehanna Rivers. They found and they recommended that a great deal of trouble could be saved the people up there by the building of the Whitney Point Dam project.

Unfortunately, as I said in my remarks on the floor yesterday, this only accomplished half what it should have accomplished. It saved the city of Binghamton, which is at the confluence of the Chenango and Susquehanna Rivers. The steps taken in flood-control work at that junction and in the Whitney Point Dam project did save the city of Binghamton itself from serious future flood ravages. Unfortunately, it did little or nothing for the municipalities of Johnson City, Endicott, and the village of Vestal, a few miles below, on the Susquehanna River. In fact, the construction of flood walls on the southern bank of the Susquehanna, in the city of Binghamton, may even have aggravated the situation further down, because as time passed, more and more sediment collected along the banks of the Susquehanna down near greater Endicott, and throughout the Vestal area.

Every year thousands of people are flooded out of the lowlands on each side of the Susquehanna as it courses down through Johnson City, Willow Point, Broad Acres, Vestal, and through the Greater Endicott area. For this reason I submit to the House that this job has

been only partly done. Nearly as many people are affected in these areas—and the distinguished Chairman is familiar with that section—as there are in the city of Binghamton. I hope the House will give serious consideration to further and additional flood-control work being done in the very near future by the Army engineers on those few miles beyond the confluence of the Chenango and the Susquehanna Rivers. Those people living in areas below the junction are just as much entitled to have their properties protected against floods as the good people in my own home city of Binghamton are. I am very happy about and satisfied with the work which the committee and the Army engineers have done in my home section. Nevertheless, I believe that the Army engineers owe it to the people of the municipalities farther down the river to see to it either that the river is dredged at Vestal and vicinity or that constructive and substantial flood walls are erected at these points so that floods will not in the future ravage and damage the properties of the people down there.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. STEFAN. Did the gentleman appear before the committee on this project?

Mr. EDWIN ARTHUR HALL. I have appeared before the committee and I will say in all deference to the good chairman that he gave me a very sympathetic hearing. I have also talked with General Reber who at that time was in charge of the Army Engineer Corps. They have all been sympathetic with my proposal.

If this amendment is adopted it will provide that those sections and those municipalities be added to the sections that have already been mentioned in this bill and that no steps can be taken until the provisions of this legislation have applied to them, they to be subject also to such other legislation as should apply. Let me point out that no objections have been voiced by the Army engineers to this project so far as I know. Therefore, I hope the amendment will be adopted and I ask the favorable consideration of the Committee.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. WHITTINGTON. I shall not take the 5 minutes.

The CHAIRMAN. The gentleman may proceed.

Mr. WHITTINGTON. Mr. Chairman, in opposing this amendment permit me to say that we are most sympathetic with the situation at Binghamton. The project was adopted for the vicinity of Binghamton. If the project is to be extended to other areas will not the gentleman permit me to suggest that he will have to ask the committee to pass a resolution, ask that the project be reviewed, and ask for a report so the project could be submitted by the committee?

Under the gentleman's amendment there is nothing said about the local people being required to furnish the

rights-of-way or to maintain the project when constructed; and with all the deference to the gentleman, if he wants the protection that has been given to Binghamton extended the committee will be delighted to do it, but under the rule that obtains any projects in this bill must first be considered by the engineers, reported on, and the report submitted to the committee. Members of Congress have the privilege of following this course; but there is no way in which we can include a project on which there is no report.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I will yield, certainly, but I do not want to take up too much of the time of the Committee.

Mr. EDWIN ARTHUR HALL. I know the gentleman is sympathetic to the situation. Will he yield for a question?

Mr. WHITTINGTON. I yield for a question; go ahead and propound your question.

Mr. EDWIN ARTHUR HALL. The gentleman's committee has already brought about flood-control work in the city of Binghamton, and I know the gentleman is just as interested in sections a few miles farther down. I want to ask him if he does not feel that it is just as fair to protect those people down there, 15 miles farther down the Susquehanna, as it is to protect the people in the city of Binghamton?

Mr. WHITTINGTON. I shall be pleased to answer the gentleman's question, but I ask the indulgence of the House for intruding on the committee's time. The projects submitted to the committee and approved are contained in the report submitted with this bill, and all the hearings before the committee are available. I repeat again that we have not embraced in the report made by our committee any project unless it has been favorably reported by the Chief of Engineers. In the absence of a report to extend the adopted project in the usual way I know of no reason why an exception should be made.

Mr. EDWIN ARTHUR HALL. Will the gentleman yield once more?

Mr. WHITTINGTON. I yield.

Mr. EDWIN ARTHUR HALL. The gentleman recalls, does he not, when I came before his committee 3 or 4 years ago and pointed out this very situation it was as pressing then as it is now. Scarcely a year passes but what this section is inundated, and I say that the construction of flood walls would relieve the condition.

Mr. WHITTINGTON. Again I suggest to the gentleman that he come before the committee and ask for a survey; but I trust the gentleman will not hold the committee responsible for statements made to the committee by Members of Congress, including himself, the gentleman from New York, because they are interested in their districts. We are always glad to have their views; but there is a hard and fast procedure that must be followed by everybody in Congress to get a project included in this bill.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. LEMKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEMKE: On page 12, line 20, strike out the last word "Provided" and then strike out all of lines 21, 22, and 23 and strike out the first 5 words in line 24 and insert in lieu thereof the following: "Provided, That the use for navigation and related purposes, in connection with this expanded general comprehensive plan, of those waters of the Missouri River which arise west of the ninety-seventh meridian shall be subordinate to and shall not adversely affect at any time the beneficial consumptive use, west of the ninety-seventh meridian, of such waters for domestic, municipal, irrigation, mining, or industrial purposes."

Mr. WHITTINGTON. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Mississippi reserves a point of order on the amendment.

The gentleman from North Dakota is recognized for 5 minutes in support of his amendment.

Mr. LEMKE. Mr. Chairman, this amendment simply provides that the States in the upper Missouri River Basin shall have preference to their own waters for domestic use and for irrigation. The amendment applies only to the arid lands of the Missouri River Basin west of the ninety-seventh meridian.

I am aware that the chairman of this committee has erroneously stated that unless the amendment applies to the whole of the United States it is unconstitutional. I challenge the correctness of that conclusion and I say to him that it is not unconstitutional, that under the Constitution the Federal Government has power to start in any part of the United States of America in connection with flood control and with navigable streams. I say to him that the only place in the Constitution of the United States where he will find a provision to the effect that the operation of laws must be uniform throughout the Nation is in the bankruptcy clause, naturalization and taxation provisions.

The chairman therefore is mistaken on the constitutional question, absolutely mistaken. The Government of the United States is not limited by any provision of the Constitution from operating in any part of the United States of America. It can make any classification it sees fit to of the subject matter or the location in which it operates.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield.

Mr. STEFAN. Does the gentleman believe that proviso a good one which reads: "Nothing in this act shall be construed as creating below Sioux City any demand on the water resources of the river above Sioux City"? Does not that meet with his approval?

Mr. LEMKE. That does not meet with my approval.

Mr. STEFAN. Would that take care of the gentleman's objection?

Mr. LEMKE. No; it does not because we have to go further in providing water for irrigation in the upper Missouri River Basin. This provision limits us to existing law which is insufficient.

Mr. STEFAN. How about the words "now authorized by existing law"? Would that not satisfy the gentleman?

Mr. LEMKE. That will not satisfy us. Under that provision they can take for navigation every drop of water that we need in dry years for irrigation purposes. We would then be left high and dry without enough water even to give a cow a good drink.

Mr. DONDERO. Will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Michigan.

Mr. DONDERO. I am sympathetic with what the gentleman is trying to avoid, but I am wondering if the purpose of his amendment is not disposed of by the amendment offered by the gentleman from New Hampshire [Mr. STEARNS]?

Mr. LEMKE. No, it is not, because that is a State-right matter. We are here dealing with a particular question in a particular project, the Missouri River Basin.

Let me show you why we are not satisfied with the provisions of this bill. I know that the chairman has said that he is interested in irrigation, that he is willing that we should keep all the water for irrigation purposes so as to prevent it from flooding the lower Mississippi Valley. That is exactly what we want to do. We want his cooperation in this effort. We want him to help us to keep the waters needed for irrigation in the upper Missouri Basin. This so that we can have it for domestic use and in order to build up our ground-water level again, that have fallen 52 feet in the last 50 or 75 years.

Mr. BURDICK. Will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from North Dakota.

Mr. BURDICK. Section 4 says that the Secretary of War is authorized to sell for domestic and industrial use the surplus water. That must mean there is some water to be kept back and we are going to get the surplus water, if any.

Mr. LEMKE. That is correct, but there will be no surplus water and I wish to give you the facts right now in connection with that. For instance, under existing law they could take 16,800,000 acre-feet a year, whereas we have only 11,600,000 acre-feet in dry years in the Missouri River Basin. That is the difference in our conclusions and that of the committee. It is for this reason we are objecting to the present existing law, which is a camouflage and a hypocritical pretense to steal all the water in the Missouri River in dry seasons in order to permit a few boats to float down the Mississippi River.

Mr. BURDICK. In a year like that there would be no surplus water?

Mr. LEMKE. There will not be a drop. As a matter of fact, there will be a deficiency in the water supply.

I have no quarrel with the able chairman of the Committee on Flood Con-

trol; in fact, I admire his willingness to listen.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEMKE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

Mr. LEMKE. Mr. Chairman, I am willing to cooperate with the chairman on flood control; I am opposed to floods, I am opposed to the devastation caused by floods, but I want him to understand that for every dollar lost through floods we lost a hundred by drought. I want him to know that if he works with us to keep this water which we intend to use for irrigation and other purposes, it will be the best way to prevent floods in the lower Mississippi Valley. That should be his aim and purpose as well as ours.

Mr. Chairman, this bill has been rushed in here before we have had an opportunity to get the report of the Bureau of Reclamation and I want to quote now from H. W. Bashore, Commissioner of the Bureau of Reclamation in his report on the Missouri River Basin, which report has just been released. This bill should have waited until that report was released and studied by the members of the committee.

Mr. Bashore in his report states as follows:

The reclamation plan proposes a total of 90 reservoirs with a combined capacity of 45,700,000 acre-feet, most of the reservoirs on tributaries of the Missouri for use in irrigation, flood control, and power development, but two-thirds of the reservoir capacity on the main stream for use in flood control, aid to navigation, power development, and irrigation.

When fully developed, the plan would provide water for the irrigation of 4,760,400 acres of dry land, and supplemental water for 538,000 acres of land now irrigated but not assured adequate water in years of low run-off. Seventeen power plants, in the completed power system, would supply seasonal power for pumping water for irrigation, and nearly four billion kilowatt-hours of firm power, annually, for domestic, commercial, and industrial uses.

The irrigation of numerous areas scattered widely over the northern Great Plains and over other semiarid sections of the Missouri River Basin would add to an unavoidably precarious dry farm and grazing economy the stabilizing influence of lands with insured crops and high yields.

The droughts of the last decade cost governmental agencies, principally Federal, a total of \$1,246,557,087, and these expenditures were inadequate to the needs, since tens of thousands of families nevertheless were forced to migrate from their abandoned homes. These expenditures are roughly equal to the cost of full utilization of the waters of the Missouri River system. While it is not contended that full use of these waters will eliminate drought losses, it will reduce the catastrophic effects and prevent much of the human suffering.

Let us get this project and save the flood waters for the upper Missouri River Basin States in dry years. I realize we are 48 States, but 1 Nation. If that 1 Nation is to be preserved the rights of

these 48 States must be respected, even by the Committee on Flood Control and by the Committee on Rivers and Harbors. I may say that this battle has just begun. This is just a skirmish. We are going to win because justice will prevail in the end. We are not going to take the water from the people in the States where it originated so that some fellow may float a yacht down the lower Mississippi Valley, while the people and their cattle in the upper regions go hungry on account of the lack of food and water.

The chairman of the Committee on Flood Control says that irrigation has nothing to do with this bill. That the bill will not interfere with irrigation. Then why did he put that provision in the bill that we are limited to existing law? If it has nothing to do with it, why have you not the courtesy, as you are so unusually courteous on all occasions, to put in this amendment that can do no harm to the bill?

If it is true that this bill does not interfere with our irrigation projects, why not put this simple little amendment in to allay our apprehensions? I have in my office hundreds of requests from Governors, county commissioners, and from various local communities in which the fear is expressed that this bill will deprive them of the local use of their own waters. Why not allay their apprehensions?

I again beg the chairman of this committee to be courteous enough to that great area to accept this amendment.

I submit the following basic facts to show that with a 6-foot channel there is only enough water left to irrigate approximately 2,778,000 acres, and that with a 9-foot channel there would be no water at all left for irrigation.

Out of 15,768,000 acre-feet mean annual yield at Yankton:

Requirement with 6-foot channel and reservoirs to regulate 20,000 ¹ by 2 by 240 (navigation period)	9,600,000
Evaporation from reservoirs	1,000,000
Waste to coordinate flood control with navigation	500,000
Release during nonnavigation period for various uses	500,000
Total	11,600,000

15,768,000—11,600,000=4,168,000 acre-feet for upstream domestic, industrial, and irrigation use (for 2,778,000 acres).

Requirements with 9-foot channel and reservoirs to regulate 30,000 by 2 by 240 (navigation period)	14,800,000
Evaporation	1,000,000
Waste	500,000
Winter release	500,000
Total	16,800,000

¹20,000 cubic second-feet converted to acre-feet for the navigation period of 240 days per year.

This permits no irrigation development at all.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes, the last 5 minutes to be reserved by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi [Mr. WHITTINGTON]?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my colleague the gentleman from Montana [Mr. O'CONNOR] is unable, due to illness, to be here this afternoon. You all know his interest in irrigation, and I am sure, will well understand his disappointment at not being here.

Mr. Chairman, this House has been hearing a good deal in the past few months about irrigation and what it means to those of us who live in the arid and semiarid parts of the West. It was with a great deal of pleasure that I listened today to our distinguished majority leader speak about the converts to flood control in the New England delegations during the past 7 or 8 years. It is with a great deal of pleasure that I recall during our recent debate on the river and harbor bill the gentleman from Illinois [Mr. DIRKSEN] getting up and telling us that he had been out in our part of the country, and because of first-hand information on our needs he thereby became a convert to irrigation and its possibilities.

Mr. Chairman, to those of us who live in the West, water is of the greatest importance. It is our basic natural resource, and everything we do is predicated on its use. We are not unselfish in looking after our own interests in this respect because we know that the wise use of the water which originates in our area will not only benefit us but, in the final analysis, the rest of the country as well. Water is our lifeblood and without it we would wither away and die. This is the fundamental factor to consider when debating bills of the nature now before us.

If we are given the right to develop and use our water resources we can and will contribute not only to our own welfare and future but to that of the Nation as well.

We know that the Congress is becoming better acquainted with the problems which confront us in the arid and semiarid States, and we sincerely hope that careful consideration will be given to our needs. We, of the Rocky Mountain West, come from the largest undeveloped area in our country, but potentially we can become one of the richest areas. We can and we will work hand in hand with the other regions in developing our country, because we want to see the Nation develop on a national scale. If our needs are not considered or, if considered, given only scant attention, not only will we suffer but the rest of the Nation will as well. There is no reason why a sound, well integrated economy cannot be equitably worked out between the Army engineers and the Bureau of Reclamation so that the waters of the Missouri and the Yellowstone can be utilized to their fullest extent, first, for domestic purposes, such as irrigation, mining, industrial and municipal uses, and then for flood control and navigation.

We are interested in flood control, especially in the lower reaches of the Missouri Valley, Basin, and we believe that through letting us retain control of our waters, building adequate storage facilities, and creating multiple purpose dams where needed, we can facilitate the development of our area and others; we can assist in flood control; and we can thereby bring about a safe and sound development in all sections. We of the West have to fight all the time to retain control of our natural resources. At times it is discouraging because we are so few in number. However, we do have faith in the people's body, the Congress, and we look to you for a square deal and the retention of our rights, especially in the development of this particular commodity, our greatest natural resource, water.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Montana. Gladly.

Mr. MURDOCK. Mr. Chairman, as the ranking member of the Committee on Irrigation and Reclamation, I want to say that the gentleman from Montana [Mr. MANSFIELD] has been alert in looking after the interests of his State and all that section of the country known as the intermountain region, together with the great Northwest. Especially do I wish to commend the gentleman for his very effective work in connection with the Hungry Horse Dam in sponsoring that legislation.

I would like to add to what he has already said this, that there is a difference between that part of our country lying west of the ninety-seventh meridian and other sections of the country, not considering the three Pacific States. We have in the intermountain region a different water law.

The gentleman from Montana [Mr. MANSFIELD] has properly emphasized that difference with all of its meaning, and I congratulate him and commend him on his remarks and upon his legislative work.

Mr. MANSFIELD of Montana. I thank the distinguished gentleman from Arizona. We both have the same problems to contend with, because we represent areas somewhat alike. I should also like to call to the attention of the House the fact that my colleague from Arizona has always been of great help to me not only with his sound advice but with his unerring ability to guide legislation along the right path. He is a true son of the West, a real legislator, a sound worker for his State, and a distinct credit to his country. We are fortunate that we have him with us here.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Chairman, again the controversy prevails between those representing States on the upper Missouri River and those who represent States on the lower Missouri. We in

Missouri are interested in flood control while those of you on the upper river are interested in irrigation.

It seems to me as long as there is to be a controversy between the Bureau of Reclamation and the Chief of Engineers, there will undoubtedly be a great delay in advancing the flood-control projects and likewise the benefits sought by the States in the Northwest for the irrigation of their land and for other purposes will be delayed. Some way should be worked out to meet this situation. I am not in favor of the suggestion of the Secretary of the Interior to dump any disputes that might arise in the lap of the President for final decision. The Congress should be big enough to meet this situation. We have placed enough responsibility on the President as it is and, further, he would be the one that would be subject to criticism no matter what his decision might be.

Mr. Chairman, it was nearly 20 years ago that I cast a vote on a flood-control bill where there was a controversial issue involved. The gentleman from Nebraska, Mr. Sears, offered an amendment authorizing the construction of reservoirs in connection with flood-control projects. That was a very bitter issue at the time. I supported the amendment, which was defeated by 10 votes. I had a reason for supporting that amendment. It so happened that in 1913 I came across the country on the first Pennsylvania train that was opened after the terrific floods that caused so much damage in the State of Ohio, especially in Dayton, Columbus, and other cities. The train entered Columbus on a temporary track. Homes, bridges, farmhouses, and barns were upside down. The railroad tracks were a twisted mass of steel. Bridges were destroyed. From Columbus it was necessary to leave the main road and go north about 95 miles, the tracks being under water half of the way. We finally connected up with the northern branch of the road and were able to proceed to Washington, arriving many hours late. Some years thereafter I drove from St. Louis to Washington, and I passed over 2 tremendous flood-control dams. These 2 dams were constructed to prevent a recurrence of that disaster. Three additional dams were also constructed, making 5 in all, and as I recall it the engineer was a Dr. Morgan, who later had something to do with the construction of dams in the Tennessee Valley. It is my understanding that since those dams were constructed and floodwaters are stored, there has never been a disastrous flood in that area in Ohio. If that be true, I felt if it could be done in Ohio it could be done in other parts of the country. We have spent hundreds upon hundreds of millions of dollars in an effort to control floods. Year by year they continue; in fact, in the flood in the Missouri and Mississippi Valley the past few weeks it was more disastrous than any flood that ever occurred in that area. As I say, we want flood control for the Missouri Valley and those of you in the Northwest want irrigation. There must be a way we can get together, and the sooner the better for all concerned.

Mr. Chairman, I have just read two editorials on this subject, one in the St. Louis Star-Times of May 3 and the other in the St. Louis Post-Dispatch of May 7. Under the permission granted me, I include these editorials:

[From the St. Louis Star-Times of May 3, 1944]

IT CAN BE DONE IN THE MISSOURI VALLEY

Visited at one and the same time by the worst flood in a century and by David Lillenthal, Chairman of the Tennessee Valley Authority, St. Louis today dreams of an M. V. A.—a vast Missouri River authority to control floods, irrigate the plains, promote water-borne commerce, and develop electric power for a rich inland empire.

It is a brave dream. But the danger is that it may ebb with the flood. The T. V. A. did not spring full-blown from some wishful thinker's brow. It is the result of 25 years of hard work and hard fighting—fighting that goes on even now in Washington.

Just as the Missouri is four times as long as the Tennessee, so are the difficulties to be overcome in the realization of an M. V. A. enormously greater than those that stood in the way of T. V. A. There were at least some links of common interest that held people in the Tennessee Valley together. But what do we people in St. Louis have in common with the people who live in the foothills of the Rockies where Red Rock Creek, the Beaver Head, and the Jefferson come together to form the second longest river of the continent? Or, for that matter, how much do we have in common with the wheat farmers of the Dakotas and the corn growers of Nebraska and Iowa?

Unfortunately, there are no romantic stern-wheelers playing a song on their whistles that is known up and down this great valley. Along this slash of water across the prairies there is very little of the familiarity which existed, in Mark Twain's day, between St. Louis and Memphis, Natchez, and New Orleans. But what potentialities there are in the cultivation of such an acquaintance.

Today Montana is not concerned about floods, and Missouri does not give a whoop about irrigation. But what gold could be minted from this valley of ours if it were realized up and down the whole length of the river that a single Government-sponsored agency could not only control floods and provide water for irrigation ditches, but could also bring electric power plants and the industries that go with them, a really navigable channel and the trade that goes with it.

So long as sectional interests work only for what they want, the river will continue to flow through a long tunnel of "pork barrels," but if ever all of us in this valley learn to pool our desires and to make one organization responsible for the satisfaction of all of them, then Montana's sorry drift toward depopulation will be reversed and Missouri's rich black earth will no longer be flushed into the Gulf.

As David Lillenthal said, the technical problems of this transformation are not beyond the resourcefulness of the engineers. But first there must be a common determination to set the engineers to work for a common purpose. This calls for men of vision up and down the valley. The Tennessee had its Senator Norris—paradoxically a man from the valley of the Missouri—who worked and preached until the dream of T. V. A. was an actuality. We need hundreds of Norrises—businessmen and farmers and ranchers and public officials fired with the dream of an M. V. A., men determined to explain and to plead, to organize and to fight until their dream, too, is a reality.

The Army engineers have a plan on which the technical structure of an M. V. A. can be built just as soon as the war's demands abate and men and material are available for

work. But nothing will come of the plan until people up and down the valley join in the common cause. When they do, it will become apparent that the great wealth which this valley has already yielded is as nothing to what it offers its people.

With the floodwaters lapping at the terminal tracks and covering thousands and thousands of acres of farm land, St. Louis and Missouri are challenged to light a torch, to take the lead in a great movement not only for the control but also for the full exploitation of the Missouri. The only question is the old one:

Will the desire go up and go down with the flood?

[From the St. Louis Post-Dispatch of May 7, 1944]

ONE RIVER PLAN IS THE NEED

The United States Army engineers' Pick plan for development of the Missouri River is scheduled to come up in the House tomorrow, and with it will come an opportunity for the upper and lower valley States to put an end to their bickering and to demonstrate that they can at last begin to work together.

The plan, in its present form at least, is not acceptable to the upper valley, which believes, with good reason, that in the context of other legislation it is prejudicial to irrigation. The basis of the controversy is the Army engineers' attempt to have Congress allot to navigation a fixed amount of water equal to the greater part of the river's annual flow in the last 10 years.

The irrigation States very sensibly are determined not to stand peaceably by and see navigation priorities put on water of which they are entitled to some part for irrigation.

They have proposed various protective measures, the latest of which is a suggestion by Secretary Ickes that Congress lay down the law that irrigation shall be paramount to every other interest in the use of Missouri River water.

The objection to this is that it would work the same unfairness on flood control and navigation that it is intended to prevent from being worked on irrigation. To be specific, what would happen if, in the face of a flood descending the river, the Army engineers wanted to release water from storage in order to make reservoir space available for containing the flood, while the Reclamation Bureau wanted to keep the reservoirs full because to do so would keep irrigation interests paramount?

Secretary Ickes would have the President resolve any such dispute. The fault in this suggestion, of course, is that a moment when disaster impends is no moment for arguing what to do about it. If argument continues long enough, nothing can be done about it.

As a general rule, it would be proper for Congress to declare flood control, irrigation, and navigation to rank in importance in that order; but legislation should leave enough latitude for engineers to operate the system flexibly and in the best interests as they appear at the moment of decision.

Is it not becoming obvious that two or more antagonistic agencies—the Army engineers and Reclamation Bureau—cannot develop this valley without sacrifice of its total resources, even though they declared an armed truce? Is it not plain that only harm will be produced if either the upper or the lower valley attempts to force some plan upon the other? We shall get somewhere only when we agree on one plan for all of us and one organization to which all will be willing to entrust their interests.

[Mr. DIRKSEN addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. SULLIVAN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman was not listed among those requesting recognition at the time debate was limited.

Mr. SULLIVAN. I did not know there was a limitation.

Mr. BURDICK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BURDICK. I was one of those who rose to be assigned some time. Is it possible for me to assign my time to the gentleman from Nevada?

The CHAIRMAN. Without objection, the gentleman from Nevada is recognized for 5 minutes.

There was no objection.

Mr. SULLIVAN. Mr. Chairman, I favor the amendment to this bill (H. R. 4485) offered by the gentleman from North Dakota [Mr. LEMKE]. As a Member at large from Nevada, a typical arid-land State west of the ninety-seventh meridian, I feel that this Congress, by express inhibition incorporated into this bill, should terminate the executive and judicial legislation which is aimed at the destruction of the rights of the people to the use of flowing waters for irrigation and reclamation.

The only title the Federal Government has to control flowing waters springs from clause 3 of section 8 of article I of the Constitution, giving to Congress the power—

To regulate commerce with foreign nations and among the several States, and with the Indian tribes.

That power has been exercised in the improvement of navigable streams in the interest of interstate commerce and the public safety. It has never been expressly extended in any statute to the control of any unnavigable stream. An unnavigable stream, by the force of the term itself, cannot serve commerce whether interstate or local.

Under the riparian doctrine or the appropriation doctrine and under both doctrines combined, from the time of the Louisiana cession in 1803 and the Guadalupe-Hidalgo cession in 1848 and the admission of Nevada in 1864, governments never claimed the corpus of the water at all or the right to the use of water, except as subordinate to the right of the people, to use it for agricultural, domestic, and power purposes. When Congress passed the Reclamation Act it provided that the Interior Department should conform to State laws in acquiring water rights to be held in trust for the use of settlers.

The abuse sought to be checked here is of modern origin. In the beginning navigability was defined as navigability in fact. But now it has been stretched to cover streams potentially navigable or formerly navigable, or to cover all the miscellaneous tributaries, headwaters, and creeks that might conceivably augment the firm or seasonal flow of a river capable of carrying commerce. Under recent decisions the definition of navigability has been so whittled away as to constitute a menace to all the rest of the public who make use of flowing waters for agricultural purposes. If this goes on farms may be dried up and farmers wiped

out in aid of a mythical river-steamboat trade so remote that its smoke will never come within a hundred miles of the farmers' homes.

Mr. Chairman, we in the arid-land States do not oppose commerce, although, outside of the railways, the highways, and the air transport, we see very little of it west of the ninety-seventh meridian. What we ask is protection of irrigation and reclamation which has built up the West under rights and customs, enjoyed and followed under the riparian and appropriation doctrines. We want protection through a positive statutory inhibition, against a definition of navigable waters that has no basis in any statute thus far enacted. It seems to me that when it comes to definitions, Congress should be the fountainhead—not the victim.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. SULLIVAN. I yield to the gentleman from Arizona.

Mr. MURDOCK. Mr. Chairman, time has been limited on this amendment and I shall have no opportunity to speak on it, but I agree with the gentleman from Nevada in his support of the Lemke amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, the amendment offered by the gentleman from North Dakota is the amendment that was offered by him to the river and harbor bill, applicable to that bill with respect to navigation, and it was defeated by the House. The substance of the amendment was embraced, as I have already pointed out, in the amendment offered by the gentleman from New Hampshire [Mr. STEARNS]. With all due deference, the amendment has no place in the pending bill.

The language of the amendment is:

Provided, That the use for navigation and related purposes in connection with this expanded general comprehensive plan.

The amendment was offered to the river and harbor bill and was considered by the House, and that very amendment is now offered to this flood control bill.

I am in sympathy with reclamation. This amendment gives my friends from the West an opportunity to proclaim anew their devotion to reclamation on all occasions. They have the privilege of doing that. But in all kindness, this amendment has no place in this bill.

Something has been said about the report of the Bureau of Reclamation. The Chief of Engineers submitted this report. There was a major flood not once, not twice, but three times last year in the Missouri River. My good friend the gentleman from Illinois [Mr. DIRKSEN] just returned from out West, made the same address and the same speech, and you know many good speeches can be made just as applicable to one point in a bill as to another. He spoke on this amendment with respect to navigation. The House did not agree with him. But with all due kindness, the people along the Missouri River from Sioux City to its mouth suffered last year not one flood but three

floods, and today they are suffering one of the greatest floods in their history.

This project has been considered carefully. We began hearings on the Pick plan in May 1943, and we did not report this bill until March 29, 1944. Moreover, I say this bill provides for the expenditure of some \$200,000,000, and the entire Pick plan will cost something like \$475,000,000 or \$500,000,000.

Under this plan the pressing projects are the ones that are essential for flood control. They will have no reference to any reservoir where there is a drought. I sympathize with the drought sufferers. We want the waters to stay up there to eliminate droughts. The purpose is to provide for flood control and for the storage of those waters in the main stem of the river above Sioux City, when they come, to prevent them from overflowing the valley from Sioux City to the south.

Under the authorization of \$200,000,000 every possible safeguard is thrown around the reservoirs. There can be no argument about the right to use the waters on the tributaries of the Missouri because the dams cannot hold water on the main stem unless they empty from the tributaries into the main stem.

The committee embraced in the bill every possible precaution. I read from the bill:

Nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law.

Moreover, as I pointed out in presenting this bill on yesterday, the Supreme Court of the United States has held that the commerce clause of the Constitution controls with respect to the waters, and wherever there is a conflict with State laws the Constitution must control.

The bill further provides in an effort to be more than doubly fair, in an effort to lean over to cooperate with Reclamation:

That portions of the storage authorized for the main stem of the river shall be placed on tributaries if the Secretary of War and the Chief of Engineers find such action advisable for silt control and in order to make more water readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost.

The undisputed testimony before the Committee on Flood Control in May 1943, and since then, during the hearings, was to the effect that if it had not been for the Fort Peck Reservoir the floods at Omaha, the floods at Sioux City, the floods at Kansas City and below would have been much higher. I respectfully submit that if the doctrine that reservoirs can detain and hold back flood waters is to obtain in the United States along the Ohio and its tributaries and along the Connecticut River and its tributaries, that doctrine ought to obtain along the Missouri River to protect the people of that great basin, including the States of North Dakota and South Dakota, Iowa, Nebraska, Missouri, Kansas, and other States, to get the protection accruing from reservoirs for flood control that is accorded under other flood-

control projects adopted by the Congress of the United States.

Let me say in conclusion, I did not make the point of order and did not insist on it because, while the substance of this bill has been defeated by the House during the consideration of the river and harbor bill and defeated by the House today, and I read from the amendment offered by the gentleman from New England, which I referred to in my remarks, "And in the case of works that might require the use of waters rising west of the ninety-seventh meridian in cooperation with the Secretary of the Interior," there are flood-control projects in the Sacramento Valley, in the Willamette Valley, and there are flood-control projects along the Columbia River and along other rivers in the West, west of the ninety-seventh meridian, and in my judgment, the amendment is not applicable. This plan is fundamentally flood control and not navigation, and every possible use of the water is safeguarded under the provisions of this bill because the bill declares in no uncertain language that the right to the water along all the tributaries of the Missouri River shall be recognized.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Mr. Chairman, the gentleman certainly knows this amendment would not be subject to a point of order.

Mr. WHITTINGTON. I told you I had withdrawn the point of order, but I say this amendment was defeated. How many times does an amendment have to be defeated before it will be no longer offered? That was the only point I had in making reference to it.

Mr. LEMKE. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from North Dakota [Mr. LEMKE], the author of the amendment.

Mr. LEMKE. Why do you not accept our amendment? Why do you wish to limit us to the excess waters under the existing law, which I have pointed out to you and which your committee knows, under the committee bill would be no water at all in dry years?

Mr. WHITTINGTON. Your colleague, the gentleman from North Dakota [Mr. BURDICK], spoke yesterday about there being a drought out there. We can do a lot, but Congress cannot make it rain. It cannot make the snows come down. The only way North Dakota is going to be relieved of drought—and other Western States—is for the snows to fall and for the rains to descend. What we want you to do is to keep those waters, whether they be from the snow or the rain, along the tributaries to relieve that area and prevent the flooding of the valleys below.

Mr. LEMKE. Why do you not adopt our amendment? That is exactly what we want to do.

Mr. WHITTINGTON. I have great respect for the gentleman.

Mr. LEMKE. If you agree with us, why do you not adopt the amendment?

Mr. WHITTINGTON. I have carefully considered the gentleman's amend-

ment with all its ramifications, but it is not applicable to every bill that comes along. It has been defeated once in the consideration of the river and harbor bill a few weeks ago and has been defeated substantially by the House today in defeating the Stearns amendment, and I think it should be withdrawn.

Mr. MANSFIELD of Montana. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Montana.

Mr. MANSFIELD of Montana. It is true that Congress cannot make the rain or snow, but Congress can build reservoirs up there, not only to help irrigation, but to reclaim land and to help control floods down in the valley.

Mr. WHITTINGTON. There is nothing on earth in this bill that will prevent the Bureau of Reclamation building reservoirs in addition to those authorized in this bill, if approved and appropriated for by Congress. But it will take \$175,000,000 of the \$200,000,000 herein authorized to provide levees to be constructed to protect the Missouri River Valley from Sioux City down to its mouth.

Mr. Chairman, I ask that the amendment be defeated.

Mr. HOEVEN. Mr. Chairman, I am opposed to this amendment. It has no place in a flood-control bill. Rather, let us look at some facts pertaining to the Missouri River.

The Missouri River Basin embraces approximately one-sixth of the total area of the United States. Between Sioux City, Iowa, and the mouth of the Missouri River there are about 1,800,000 acres of land subject to flooding at extreme stages. Most of this area is under cultivation at the present time and includes some of the most fertile and productive land in the world. The principal crops grown are corn, wheat, barley, rye, oats, alfalfa, and garden produce. Although the land is highly productive floods on the Missouri River have always constituted a serious hazard to farming. Previous to the construction of river improvement works the land was not only subject to floods but to damage by bank erosion and cut-offs. The threat from bank erosion and cut-offs has now been removed by the river stabilization works but the flood hazard still remains. The principal cities subject to flooding are Kansas City, Mo., Kansas City, Kans., Council Bluffs, Iowa, Omaha, Nebr., and Sioux City, Iowa. In addition to these cities there are over 50 smaller municipalities which are already or partially vulnerable to floods along the main stem of the Missouri River. At Sioux City, Iowa, a city of over 80,000 population, a portion of the business district is subject to flooding and also a large part of the stockyards, railroad facilities, and some manufacturing and industrial establishments.

In the upper part of the river the highest flood of record was caused by the March rise in 1881. Practically the entire area from bluff to bluff was inundated from Sioux City, Iowa, to St. Joseph, Mo., and the river was above flood stage all the way to the mouth. In

addition to the damage caused by the water itself, there was a great deal of damage done by the cutting and crushing action of huge cakes of ice as they were swept down stream. This flood caused millions of dollars of damage.

In the lower part of the river the highest flood of record was caused by the June rise in 1844. This flood also produced stages in the upper part of the river approaching those of the 1881 flood. Reliable records of the damage caused by this flood are not available. The next highest flood of record in the lower part of the river was caused by the June rise in 1903. This flood paralyzed commerce, industry, and communications for weeks and caused millions of dollars of damage at the Kansas City alone. The total direct damage during this flood between Sioux City and the mouth was over \$10,000,000.

In addition to the floods of 1844, 1881, and 1903 there have been many other severe floods between Sioux City and the mouth, such as those which occurred during 1908, 1909, 1915, 1927, 1935, 1942, and 1943. In fact, there is flooding of some consequence practically every year on the Missouri River between Sioux City and the mouth.

The floods of 1943 inundated about 1,000,000 acres of land, of which about 200,000 acres were flooded for the second time. On about 600,000 acres the flooding prevented the production of the normal crop, and on about 300,000 acres it may require from 1 to 3 years before the land can be placed into full normal crop production. Highways and railroads in the river valley suffered heavily. Practically every agricultural levee between Sioux City and the mouth was either overtopped, breached, or otherwise seriously damaged. These floods of 1943 caused damage of about \$35,000,000 along the main stem of the river between Sioux City and the mouth.

The amount expended under provisions of section 5 of the 1941 Flood Control Act amounted to approximately \$300,000. All this effort and expense was nullified by the 1943 floods. In addition, the engineer department expended over \$800,000 for rescue and emergency work during the 1943 floods. The estimated cost of restoring the levees damaged during these floods to their original degree of protection is approximately \$1,800,000.

In an attempt to provide flood protection for their lands local interests have constructed levees and drainage works throughout the breach from Sioux City to the mouth at an estimated expenditure in excess of \$20,000,000. However, the levees are generally inadequate to protect against any except the minor floods and have not been constructed in accordance with any unified correlated plan. These local interests are anxious to secure a much greater degree of protection than they now have but are convinced that the problem is of such magnitude that the burden must be assumed by the Federal Government. Although a considerable increase in the amount of protection now afforded can be provided by levees it is impracticable to provide complete protection against all past floods by levees alone.

There is no question but that additional flood protection for the Missouri Valley Basin is needed and justified and the general comprehensive plan for flood control as proposed by the Chief of Engineers of the United States Army would seem to be the solution. The plan proposed would provide for a series of levees and appurtenant works along both sides of the Missouri River from Sioux City to the mouth, supplemented by the presently authorized reservoirs in Nebraska, Kansas, and Missouri and additional multiple-purpose reservoirs. By these proposed improvements not only would large flood damages be prevented along the Missouri River and its tributaries and the Mississippi River but also floodwater would be retained for their best uses for all purposes, including irrigation, navigation, power, domestic and sanitary purposes, wildlife, and recreation. Considering the large benefits of tangible nature and special intangibles as the saving of human lives, the alleviation of suffering, stabilization of economic life of the valley, and encouragement of industrial and civic developments, the Army engineers have concluded that the plan herein proposed is entirely justified. In this connection it may be stated that the proposal is for a progressive improvement to be undertaken by steps as conditions warrant and the availability of funds permits.

Recurrence of floods as above enumerated and the occurrence of still larger floods are to be anticipated unless preventative measures are undertaken. The flood problem is a serious one and the large expenditures to remedy it are justified.

We are asking you to protect the bread basket of the world from the ravages of floods. In these days when we are stressing food production, the protection of food-production centers must be given serious consideration. The total value of the area subject to floods between Sioux City and the mouth of the river, including all fixed and movable property, has been estimated to be about \$1,000,000,000. One large flood or a series of floods might well wipe out this entire investment. More important than the consideration of monetary values is the fact that adequate flood protection would mean the saving of lives and the alleviation of human suffering. We should all be interested in securing this sound development program which is based upon the safeguarding of the interests of all of the people of the Missouri River Basin.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota [Mr. LEMKE].

The question was taken; and on a division (demanded by Mr. LEMKE) there were—yeas 47, nays 50.

Mr. LEMKE. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. WHITTINGTON and Mr. LEMKE to act as tellers.

The Committee again divided; and the tellers reported there were—yeas 52, nays 59.

So the amendment was rejected.

Mr. McKENZIE. Mr. Chairman, I ask unanimous consent to be heard at this point and to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

FLOOD CONTROL AND DRAINAGE IN LOUISIANA

Mr. McKENZIE. Mr. Chairman, yesterday I had occasion to take this floor and urge adoption of the rule to bring H. R. 4485 before this House for consideration. Today I want to speak for the bill the passage of which has become one of the most urgent and important pieces of legislation in the interest of the safety, welfare, and development of the lower Mississippi Valley yet proposed.

Many people think of flood control only in the terms of levees or dikes built along the banks of streams in the hope of controlling the floodwaters that come in the spring. For more than a century now the people of the lowlands have resorted to levees in their attempt to control the waters that inundate their lands at floodtime. The first levees were constructed by the individual landowner and calculated to protect the most important fields of his plantation or farm from the encroachment of backwater or the flooding of local streams in times of excessive rainfall. These levees were makeshift and patchwork and, while partially effective, did not protect the lands from inundation in the years when the floodwaters from the upper reaches of the Mississippi, Missouri, and Ohio Valleys came in such volume that they could not be contained in the river channel.

Gradually the farmers and landowners began to band together and help one another build community levees that were calculated to relieve several tracts of land. From this was evolved the local levee districts that built levees along the low banks of streams in an effort to hold the water back from their particular section. The fellow up above dumped his water on the man below, or the man below might in times of great danger resort to the extreme of cutting the levee above, below or across the river at whatever point seemed to him to offer the best prospect of keeping the water off of his particular section. Naturally chaos and animosities were rampant. Finally the States and their political subdivisions took an interest and brought some semblance of order and cooperation. However, the problem was not yet solved. The floods still came and they still do. However, with the better order that came with the recognition of the problem as being one that effected the economy and welfare of entire States better engineering was applied, studies of vast comprehension were undertaken until finally it was recognized that the matter was not one for just local communities or even the States, but that it affected the welfare, health and the economy of the entire Nation. Floods bring with them not merely the inundation of a vast area in the lowlands; they bring death by drowning to the populace, to the livestock, the poultry, to the wild life of the areas affected, but they also bring the destruction of homes, barns and buildings that

are either washed away or covered with water that does untold damage. Floodwaters when in torrent from crevasses cause, in some cases, erosion and the complete destruction of once-fertile fields, in others a deposit of silt and muck may render those fields sour and impossible of cultivation for several years depending on how long the water stood on the fields and the type of silt or muck deposited. And so it became evident that the problem was not only one of flood control but also of drainage and flood prevention.

Some years ago the Army engineers began to make a study of these problems. They recognized that we must have not only levees but we must also have reservoirs controlled by dams and floodgates to impound the floodwaters, or part of them, and hold them back until the streams below could take care of the water. To speed the flow of the waters and make it possible for the streams to handle the vast volume, it became apparent that drainage was also an integral part of flood control. River and bayou channels had to be widened, deepened, straightened, and cleared of debris and obstructions giving the floodwaters a right-of-way, so to speak, in order that they would not spread out over the banks of the streams and either inundate or so saturate the land that it would be impossible of cultivation and use.

This bill, H. R. 4485, is calculated to make provisions for these things. The Army engineers, the Mississippi River Commission, and the Flood Control Committee of this House have done an extensive and magnificent job of study and preparation. They have prepared a bill that is nonsectional and nonpolitical. They have made a comprehensive study of the major needs of the Nation as a whole and have tried to incorporate those needs into one omnibus bill and now ask this House to approve of their labors. We should do so, even if some of the details are not just as much as we would like. We should bear in mind that these proposals are a bit of vitally needed postwar planning laying a pattern of drainage, reclamation, and flood control that will give homes and employment to thousands upon thousands of our men and women now in the armed forces and in war industries, and at the same time adding millions upon millions of dollars to the value and productiveness of our lands.

Why, in my own district, the Fifth Congressional District of Louisiana, there is a drainage provision that will reclaim and restore to productiveness several million acres of the finest, richest soil on earth—land that has a topsoil, not of 6 or 8 inches but of 6 to 10 feet, in a climate that is incomparable for year-round cultivation of fruits, vegetables, and produce. The provision for the clearing, straightening, deepening, and widening of the Boeuf, the Tensas, the Black, and Ouachita Rivers, and of Colwar Creek, Big Creek, and Bayou Lafourche and Bayou Macon, a project that is estimated to cost the Government but \$5,013,000, should bring many times that sum to the people in the productiveness of the reclaimed lands each year.

The fact that the water from local rains and backwater can run off quickly will permit the soil to be rid of its water saturation and permit the farmer to get into his fields many weeks earlier, all of which is an untold benefit. However, not only are these benefits accruing to the farmer and landowner but also, by draining off the local waters and permitting the streams to return to normal levels, the land will be much drier and both the land and the streams will be able to take care of far greater volumes of flood waters when they come.

Yes, Mr. Chairman, I say to you that flood control and drainage are one and inseparable. To have adequate flood control we must also have adequate and efficient drainage. This bill makes the first provision for steps in that direction, and I urge the passage of this bill, which provides \$5,013,000 for the above-named streams and further provides a sum of \$3,800,000 for the Red-Ouachita River Basin, a total of \$8,813,000 for north Louisiana to help prevent the further preventable loss of life and the loss of property due to floods.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday I addressed myself to this bill and someone enthusiastically acclaimed the benefits which were being received by the upper Ohio Valley as the result of this flood-control program. Now there is one aspect of it that disturbs me. However, if the chairman of the committee would be good enough to listen to my question, he might be able to explain it. Yesterday my colleague from Pennsylvania [Mr. TROUTMAN] addressed himself to the power aspect of these dams that are going to be constructed along the Youghiogheny River.

Also, my colleague from Pennsylvania [Mr. TIBBOTT] took up the matter with me, and he also expressed his concern. I see before me the gentleman from Pennsylvania [Mr. WEISS] and the gentleman from Pennsylvania [Mr. KELLEY] who is in the coal business himself and who has a great many coal miners working in his district.

I am not taking the position that I am opposed to waterpower, because I am not in all instances, but I feel where coal is available in great quantities and handy, it is quite possible that power can be obtained just as cheaply, if not more so, from coal in our neighborhood than from waterpower.

I am told by the chairman of the committee that this is not a power project and that, although penstocks are constructed in these dams, in order for any power to be used or any machinery or equipment installed to obtain power from these dams, further legislation must be obtained from the Congress. It is on that understanding, which I would like the gentleman from Mississippi to confirm now, that I intend to support this bill.

Mr. WHITTINGTON. In response to the gentleman's question I will state that is the policy that was announced in the presentation of this bill. The dams are primarily for flood control. In some cases power is authorized inci-

dentally; there is no provision for the sale and distribution. The policy obtains, not only in the gentleman's area along the Ohio River and its tributaries, but elsewhere in the country. It is the conviction of this committee that these projects, if they are to be used for the sale and distribution of power, are to be passed on by the Congress later. There is provision for the generation of power in a few of the projects, but it is incidental and there is no provision for distribution facilities in any of the projects.

Mr. WRIGHT. And I would like to ask the gentleman this question, Is it not correct, then, that if these projects are to be used for any power or if any generation equipment is installed, further legislation by the Congress will be necessary?

Mr. WHITTINGTON. I have so stated. Where power is provided to any extent in or along the tributaries of the Ohio, I believe further authorizations will have to be made before any power is generated, or in my opinion all the authorization will be used for projects in which there is no power.

Mr. DOUGHTON. Mr. Chairman, I rise in opposition to the pro forma amendment, and I ask to proceed out of order for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There was no objection.

Mr. DOUGHTON. Mr. Chairman, on yesterday the gentleman from New Jersey [Mr. McLEAN], a member of the Committee on Ways and Means, stated that the simplification bill, passed by the House on last Thursday, will raise an additional \$2,000,000,000 of revenue, and at the same time he released a copy of his statement to the press. I felt it my duty to prepare for the press a complete answer to the charges made by the gentleman from New Jersey [Mr. McLEAN]. In view of the fact that the House passed the simplification bill without a single dissenting vote, including the vote of the gentleman from New Jersey [Mr. McLEAN], I feel it my duty to bring this matter to the attention of the House.

Both the staff of the Joint Committee on Internal Revenue Taxation and the Treasury Department agree that the estimate in our committee report is correct. The bill will result in a loss of revenue amounting to approximately \$60,000,000 instead of a gain of \$2,000,000,000.

The changes made by the bill on exemptions, rates, deductions, definitions of dependents all affect the revenue. Some changes result in increases of revenue and some result in revenue decreases. The net result is estimated to be a loss of \$60,000,000.

The gentleman from New Jersey [Mr. McLEAN] has confused and misused the figures upon which his estimates are based. The change in the definition of dependents would alone result in a revenue loss of \$290,000,000, but he neglects to figure the loss which would result from increasing the dependent credit from \$350 to \$500. This is an increase of \$150 for each dependent, and there are 20,000,000 dependents. His calculation

that the tax base will be increased by \$4,000,000,000 neglects this important increase in the amount of dependent allowances.

For estimates we must rely upon the information supplied by our actuaries. Neither the gentleman from New Jersey [Mr. McLEAN] nor I know all the details. All of our actuaries agree on the revenue effects of the bill as given in the committee's report.

I do know, however, that the gentleman from New Jersey [Mr. McLEAN] is wrong when he implies that many of the 9,000,000 Victory taxpayers will be subject to surtax under the simplification bill. Actually about the same number, or even fewer, taxpayers will be subject to the surtax. I also know that he is wrong again when he talks about "velvet" when speaking of the tax receipts for 1944. According to the estimates of our actuaries, the taxes for 1944 will be \$60,000,000 less, not \$2,000,000,000 more, than under present law.

I trust that nobody will believe that a responsible committee of the House would attempt to deceive the membership of the House or the American people. We would be deceiving the Members of the House and the public if the gentleman from New Jersey were right. Mr. McLEAN's premises being wrong, his conclusions must necessarily be wrong.

The statement of the gentleman from New Jersey [Mr. McLEAN] is such an unwarranted attack upon the intelligence of our committee and upon the capabilities of our actuaries that I feel that I cannot let it go unchallenged.

Mr. GAVIN. I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GAVIN: On page 16, between lines 22 and 23, insert the following: "That the general comprehensive plan for flood control and other purposes, approved in the Flood Control Act of June 28, 1938, for the Ohio River Basin, is hereby modified to include the construction of flood-control works for the protection of Ridgway, Johnsonburg, St. Marys, and Brockway and vicinity in the State of Pennsylvania."

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. GAVIN. I yield.

Mr. WHITTINGTON. As I understand the amendment is an extension of an existing adopted project, and that amendment has been prepared by the Office of the Chief of Engineers, and he submitted a statement that it is authorized as an extension of an existing project on which we have conducted hearings.

Mr. GAVIN. That is correct.

Mr. WHITTINGTON. I have not had an opportunity to present it to the committee, but I will say to the gentleman that as far as I am concerned I see no objection to the amendment, under those circumstances, because it is merely an extension of an adopted project, heretofore approved by the committee and Congress.

Mr. GAVIN. Mr. Chairman, in view of the statement of the distinguished chairman of the committee, I rest my

case and offer no statement on my amendment as I do not wish to take up the time of the membership of the House, and ask that action be taken on the amendment immediately.

I want to compliment the distinguished gentleman from Mississippi for the excellence of his work on this flood-control legislation. He has earned and deserves the hearty commendation of the Members of the House.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. ALLEN of Illinois. Mr. Chairman, I offer an amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Illinois: Page 11, line 12, after the word "in", insert "Plan B"; and in line 13, page 11, strike out "\$300,000" and insert "\$2,623,500."

[Mr. ALLEN of Illinois addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. WHITTINGTON. Mr. Chairman, may I ask if there are any other bona fide amendments to this section?

Mr. J. LEROY JOHNSON. Mr. Chairman, I have an amendment.

Mr. ALLEN of Illinois. Mr. Chairman, I have another amendment to this section.

Mr. DIRKSEN. Mr. Chairman, I wish to be recognized on the amendment at this time and had hoped I might continue for 2 additional minutes.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes, 5 minutes to be reserved to the committee, and the gentleman from Illinois to be recognized for 7 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 7 minutes.

[Mr. DIRKSEN addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois [Mr. ALLEN].

Mr. Chairman, it is a fundamental thing in flood control that the benefits must exceed the cost, otherwise the Federal Government would be justified, as it has in some cases, in buying the town and moving it up the hill. It has done that in Illinois.

The amendment offered by the gentleman from Illinois [Mr. ALLEN], and I know he is greatly interested, covers a report submitted in 1941. It has been before the Congress and the committee for nearly 2 years. The committee considered the report, adopting the recommendation of the Chief of Engineers, and it provided for the plan that he recommended. He recommended that plan B embraced in the amendment of the gentleman from Illinois be not adopted because, as he said, the cost of that plan

would be twice the amount of the benefits, as I recall.

Mr. Chairman, if we propose to make an exception in one case, you let the bars down and you crucify the sound, fundamental principles of flood control, whether it be in Illinois or Mississippi. In all fairness, I may say that I brought this amendment before the committee today and we point out to you now as we pointed out then to my good friend the gentleman from Illinois [Mr. ALLEN], that this amendment would adopt plan B, costing about \$2,600,000, according to the report, and the amendment only authorizes \$400,000, which is absolutely contradictory.

I sympathize with the situation. The committee leaned over backward to help. The language of the committee is as follows:

is hereby authorized substantially in accordance with the recommendation of the Chief of Engineers in House Document 336, Seventy-seventh Congress, first session, at an estimated cost of \$300,000. Under this language while the local interests would not be relieved from making the contribution and giving the assurances required, if the cost of the project was actually \$400,000 or \$418,000, the project would be authorized inasmuch as the term "estimated cost" is sufficient to care for the actual cost.

The committee considered this amendment. We submitted it to the Chief of Engineers. He said that at the time he submitted his report in 1941 these two factories were not engaged in war work. He further said that in the event it now develops that it would be economically possible and economically justified to extend the works, under the discretion given to him, and if the cost would not exceed the benefits, he could do it under the language of the act which authorizes substantially in accordance with the recommendations of the Chief of Engineers, which recommendations adopted by the committee require the local interests to contribute, maintain, and give the assurances contained in the recommendations of the Chief of Engineers in said document, as provided in the bill. I appeal to my very good friend, the gentleman from Illinois [Mr. DIRKSEN], a member of the Appropriations Committee, and I may say I have been in sympathy with the program to conserve public expenditures and to reduce the high cost of government and to eliminate all waste and extravagance. The gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Illinois [Mr. ALLEN] have now asked us to include a project where the cost, according to our report and hearings, exceeds the benefits.

Mr. DIRKSEN. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman.

Mr. DIRKSEN. Why, we do not quarrel with the benefits.

Mr. WHITTINGTON. Your question, please.

Mr. DIRKSEN. We do not quarrel with the benefits theory at all. It is only that if these two plants are kept out, additional work will have to be done later on, and perhaps it will cost more than we are asking for at the present time.

Mr. WHITTINGTON. The gentleman has covered that in his statement and I say in all fairness to the other Members of the House that the language of this authorization is broad enough so that if the gentleman and the Government through the Chief of Engineers, representing the people, find that he would be justified in substantially completing this project in order to protect those industries, those two manufacturing plants and a small residential area, he would be justified in making an extension without the amendment, or an additional authorization, provided the local interests made the contributions and furnished the assurances contained in the recommendations of the Chief of Engineers in said report, and as required in the bill.

In all fairness and equity I ask that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ALLEN].

The question was taken; and the Chair announced that the yeas prevailed.

Mr. ALLEN of Illinois. Mr. Chairman, I demand tellers.

Tellers were refused.

The amendment was rejected.

Mr. ALLEN of Illinois. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. ALLEN of Illinois: Page 11, line 13, after the word "of", strike out "\$300,000" and insert "\$418,000."

[Mr. ALLEN of Illinois addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. WHITTINGTON. Mr. Chairman, the gentleman's amendment substitutes \$418,000 for \$300,000. That is a distinction without a difference, because its estimated cost is \$300,000. If it costs \$200,000 under that estimate why the project will be constructed and if it costs \$350,000 it will be constructed. So far as I am concerned, I have no objection, and I have conferred with the gentleman from Massachusetts [Mr. CLASON] on this amendment and he has no objection. The estimated cost of \$300,000 in the bill is to cover the estimated cost of the project as recommended by the Chief of Engineers. It does not include protection for the two manufacturing industries or for a small residential area, as I recall. As stated, if the Chief of Engineers now finds that the cost of protecting these two factories and the other area will not exceed the cost of construction under the language of the bill without an additional authorization provided the local interests made the contributions and gave the assurances for maintenance and as otherwise required by the recommendations of the Chief of Engineers even though the estimated cost of the project as approved or as extended actually exceeded \$300,000, it could be constructed. So I repeat that under the discretion the matter of the estimated cost is not hard and fast. It will probably cost \$418,000 for the Federal works if the project is extended, provided the local contributions and assurances required in the recommendations of the Chief of Engineers are furnished by the local interests. By

substituting \$418,000 for \$300,000, no waiver is made of the local contributions required in the bill and in the recommendations of the Chief of Engineers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ALLEN].

The amendment was agreed to.

Mr. J. LEROY JOHNSON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. J. LEROY JOHNSON: On page 20, following the heading "San Joaquin River", in line 12, insert the following paragraph:

"The project for Farmington Reservoir on Littlejohn Creek, enlargement of Hogan Reservoir on Calaveras River, and related protection works is authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 545, Seventy-eighth Congress, second session, at an estimated cost of \$3,868,200."

Mr. J. LEROY JOHNSON. Mr. Chairman, the reason I am offering this amendment is that the project has been approved by all governmental agencies involved. There have been full and complete hearings on the matter, and the only reason it was not incorporated in the bill is because the report has not actually been printed. The hearings will be found in volume 1, pages 313 and 383, and in volume 2, pages 597, 599, and 603. The amendment was prepared by the Army engineers. Every single department, the Bureau of the Budget, the Reclamation Service, everyone concerned, have approved the report, which is House Document 545, Seventy-eighth Congress, second session.

I think I am justified in asking you to approve this amendment and include it in the bill. My people come here in good grace. We have spent over \$2,000,000 of our own money—that is, the little city of Stockton—in flood-control work along the Calaveras River. We have spent over a quarter of a million dollars in maintenance and operation, and the Government engineers have made a study of this project and determined that to have complete flood control for the city of Stockton and the surrounding area, these two streams should be controlled as set out in the report. It seems to me that is a very reasonable request to make of the committee.

I want to thank the chairman and the committee most heartily for their very courteous attention to me and the opportunity they afforded me and my constituents to be heard before the committee. But we have complied with the spirit of the law. The only obstruction that I can see to this amendment is the fact that we have not technically had the document printed and lying on the Speaker's desk. The document is referred to in the amendment and, as I say, every single governmental step required and the acquiescence of every single governmental agency required has been obtained.

I respectfully suggest if you put it in this bill and there was anything wrong or anything should slip, that can be taken out over on the Senate side. As I say, I know that every requirement, every approval, every survey, every re-

port to make it effective and to comply with the rules of the House has been complied with, and I most respectfully and urgently request the committee to adopt this amendment and place it in the bill.

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment.

I feel most sympathetic with the project of my good friend the gentleman from California [Mr. J. LEROY JOHNSON]. Under the general rule, the committee did not hear Members of Congress unless the project had been favorably reported. In all fairness, there had been a delay in reporting some projects in California, and while this project had not been submitted to the Congress, in an effort to help our colleague the gentleman from California [Mr. J. LEROY JOHNSON] we permitted him to testify.

If you will turn to the hearings you will find that I said to him that we had gone out of our way. We heard his testimony, and we were not following the usual course. We said to him at the time, in substance: "Until and unless the report is transmitted to the Congress, until and unless we have the engineers to analyze that report, to the satisfaction of the committee, the project cannot be included in the bill."

Now the report has been submitted to the Congress. It has not come to the committee. We have not conducted the same analytical hearing on that that we have conducted on other projects, inasmuch as the report has not been printed as yet.

In addition to that let me say to the gentleman from California that since this bill was reported, other projects have been reported to the Congress, and we have said to others of our friends: "The only way that your project can be included in the bill is for you to go before the Committee on Commerce in the Senate, where they will have the report, where the report can be analyzed and hearings can be conducted, and your project, if recommended by the Chief of Engineers, will be included, we are sure, in the Senate."

If the gentleman's amendment is adopted, there will be a dozen other projects discriminated against. With all kindness, let me suggest to the gentleman that he withdraw his amendment. If he goes before the Senate Committee on Commerce and the committee includes his amendment, I think the conference committee would be justified in insisting that the amendment be agreed to. Unless that is done, there is nothing for this committee and the House to do except insist upon the rule that the gentleman should take the same course as all other Members of Congress and as all other projects have taken.

Mr. J. LEROY JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from California.

Mr. J. LEROY JOHNSON. Will the chairman say for the record that he is willing to support this amendment in the Senate if the document is printed?

Mr. WHITTINGTON. Mr. Chairman, I have already stated, in all fairness—and I usually do what I say—that if this

amendment is included in the Senate, and if the recommendation for the project is favorably reported by the Chief of Engineers and I am on the conference committee, I think it should be agreed to. As stated, I suggest that the amendment be withdrawn.

Mr. J. LEROY JOHNSON. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

Mr. WHITTINGTON. That is a fine spirit and I enjoy it a lot.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

(Mr. CASE asked for and was given permission to extend his remarks in the RECORD.)

PROVISOS IN MISSOURI RIVER PROJECT

Mr. CASE. Mr. Chairman, during the debate several references have been made to the provisos that appear in the paragraph on pages 12 and 13 that deal with the Missouri River Basin project. Several have referred to the proviso at line 20, which reads:

Provided, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of that now authorized by existing law.

And I desire to direct attention to the additional proviso that follows in line 24, which reads:

And provided further, That portions of the storage authorized for the main stem of the river shall be placed on tributaries if the Secretary of War and the Chief of Engineers find such action advisable for silt control and in order to make more water readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost.

In view of the importance which those provisos will have in the prosecution of this project, it may be well to give the history of their incorporation in the bill. They were proposed by me in a letter to the chairman of the Committee on Flood Control, during the executive sessions of that committee when they were working on the draft of the bill following the public hearings, in February.

The amendments were proposed in the following letter:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., March 18, 1944.

The Honorable WILL W. WHITTINGTON,
Chairman, Committee on Flood Control,
House of Representatives.

MY DEAR MR. WHITTINGTON: Reflection upon the various points of view and suggestions made with reference to the report of the Army engineers proposing a system of flood control on the Missouri River leads me to submit a couple of amendments which might be useful in the nature of provisos.

The first is designed to place in the legislation, where it will be plainly apparent to all who read the law, the flexibility of the Army engineers' proposals, stressed in the letter of the Chief of Engineers. It would read:

"Provided, That whenever it shall appear that flood and silt control above Sioux City

can be increased thereby or more water be made more readily available for agricultural and industrial use without impairment of flood control below Sioux City and without increasing the authorized limit of cost, the Chief of Engineers shall place on tributaries, at sites to be selected after consultation with other Federal agencies concerned, portions of the storage proposed in the division engineer's plan for the main stem."

Such an amendment, or addition to the customary reference to the appropriate House document, would simply emphasize the flexibility and express the thought of Congress that where the benefits from the project could be increased by a certain modification, it should be done.

The other amendment is designed to allay any fears that any part of the engineers' proposals would injure water rights above Sioux City. It is the language accepted by the Committee on Rivers and Harbors for placing their bill in connection with the Missouri River channel project. It reads:

"Provided further, That nothing in this act shall be construed as creating below Sioux City any demand upon the water resources of the Missouri River Basin above Sioux City in excess of those now authorized by existing law."

This does not go as far as the amendment sought by many western Members in setting forth a priority of use, but it does effectively guard against any loss of rights now existing.

Your usual thoughtful and valued consideration will be appreciated.

Sincerely yours,

FRANCIS CASE,
Representative in Congress,
Second South Dakota District.

I discussed the proposals briefly with the chairman of the committee, as he will recall, and left the letter with him. Subsequently I discussed them with the gentleman from Nebraska [Mr. CURTIS], a member of the committee. A day or two later I was informally advised by both of them that the suggestions had been favorably received by the committee and probably would be incorporated in the bill. Naturally, then, I was pleased when the bill was introduced on the 27th of March, 1944, to see them incorporated in the language of the provisos previously cited. This word on their origin is given for whatever value it may have in the operation of the statute when the bill becomes law.

My concern on these points, particularly on the desirability of recognizing storage on the tributaries as valuable in any plan of flood control for the Missouri River Basin had been previously expressed to the Chief of Engineers by letter, November 22, 1944, and in a series of conferences with members of his staff.

In the letter and in the conferences I pointed out storage possibilities on several of the tributaries in North Dakota and South Dakota particularly on such rivers as the Little Missouri, Knife, Cannonball, Heart, Grand, Moreau, Cheyenne, White, and others. I also called attention to problems that would be created by the flooding of Indian lands at several points along the main stem of the river.

I was particularly concerned that provision be made for later coordination with whatever recommendations might come from the Bureau of Reclamation. Accordingly, I ventured to suggest that the letter of recommendations by the Chief

of Engineers carry appropriate language to make clear that the suggested main-stem reservoirs might be modified as to site and size to permit coordination with recommendations by other agencies and to meet conditions that might develop as the work progressed, that it authorize placing storage on tributaries, and that it also establish authority to make complete reimbursement by payment to individual Indians and Indian tribes for any lands flooded and property injured or by the location and construction or relocation and reconstruction of works and facilities.

The following reply was received:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, November 26, 1943.
Hon. FRANCIS CASE,
House of Representatives,
Washington, D. C.

MY DEAR MR. CASE: Reference is made to your letter of November 22, 1943, in which you present several suggestions for possible development of the proposed projects on the main stem of the Missouri River and its tributaries with a view to obtaining the maximum benefits from the expenditure of Federal funds in the development of the Missouri River Basin for flood control and allied water uses. Your letter also contains a suggestion that the report of the Chief of Engineers on the Missouri River investigation include a recommendation for appropriate authority pertaining to the acquisition of Indian lands needed for the proposed reservoirs and the reimbursement for or the relocation of the interests of the Indians.

May I thank you for these helpful suggestions, and also for the constructive comments which you have made in your several recent conferences with the Department's representatives. I may assure you that your views as expressed in your letter of November 22 will be fully considered in the preparation of the report of the Chief of Engineers.

Very truly yours,

THOMAS M. ROBINS,
Major General, Acting Chief of Engineers.

The Chief of Engineers did give consideration to the suggestions as is evidenced by the language in paragraphs 10 to 14, inclusive, in his letter of recommendations that appears in House Document No. 475, Seventy-eighth Congress, second session, which by reference in the bill before us, becomes the law when the bill is approved.

For convenient reference, the paragraphs mentioned are inserted at this point:

10. The amount of storage in the main-stem reservoirs and the location and size of these reservoirs is of vital importance to the ultimate development of the entire basin. I am convinced in the light of all information now available that the plan of the division engineer and the Board provides a flexible basis for securing that storage and obtaining the full multiple-purpose use of the waters of the Missouri Valley. The plan contemplates further expansion with a view to solving the flood and other problems in the upper tributary basins. Many of these solutions will doubtless be accomplished through the construction, by appropriate agencies, of additional multiple-purpose reservoirs on those tributaries and headwater streams.

11. The Department recognizes water-flow retardation, soil-erosion prevention, and production of hydroelectric power as important parts of the Missouri Basin program. The generation of power, in multiple-purpose projects now authorized for flood control and

in those proposed in the expanded plan of development, is a definite part of the recommended program. Plans for the production, transmission, and sale of hydroelectric power should be worked out with the cooperation of the Federal Power Commission. Installation of power facilities so as to meet the economic needs of the Missouri Basin should be approved from time to time by the Secretary of War upon recommendations by the Federal Power Commission and the Chief of Engineers.

12. The proposed reservoirs will inundate Indian lands at several points. The estimates submitted on the over-all cost of the projects include funds to cover the cost of taking such lands and buildings, including relocation of burial grounds. It is to be understood, therefore, that approval of this plan includes authority for the Indians through their tribal councils, with the approval of the Secretary of the Interior, to convey and relinquish such property to the United States, and authority for the Secretary of War to enter into appropriate agreements with the Secretary of the Interior and the Indian tribes concerned for the payment of the fair value of the property taken or for the contribution of a sum approximating such value toward locating or constructing or toward relocating or reconstructing buildings, works, facilities, or water projects in the vicinity of the Missouri River or its tributaries.

13. In summary, I believe that the expanded plan of development for the Missouri River Basin as recommended by the division engineer and the Board, establishes a broad framework for comprehensive basin-wide improvements that will derive the maximum benefits from the full multiple-purpose use of the water resources of that basin. That plan is flexible in that it proposes sufficient latitude to permit such modifications thereof and changes therein as may be found advisable, and it should be augmented by appropriate work of other agencies duly constituted by law to perform such work. Thus there are no problems of water use that cannot be satisfactorily solved with the full cooperation of all water-use agencies as the over-all plan of improvement is placed under construction.

14. This comprehensive plan should be approved now and at least the first phase of development authorized to be prosecuted in the same manner as that prescribed by existing law for similar comprehensive plans for large river basins. Approval at this time will permit details to be worked out through coordination and cooperation with all other agencies concerned and will enable working plans to be prepared so that construction can be initiated expeditiously and prosecuted with efficiency and dispatch throughout the post-war period.

This account of the origin of the provisions that appear in the paragraph in the bill is given, Mr. Chairman, in order to establish the legislative intent of them and to buttress and give force to the possibilities for progressive coordination with the programs of other Federal agencies in the Missouri River Basin, including the construction of reservoirs on tributaries as well as the main stem of the river.

Mr. HOEVEN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD just prior to the vote on the Lemke amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CARLSON of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CARLSON of Kansas. Mr. Chairman, before I discuss the proposal under consideration for the Missouri River watershed I want to pay my respects to the committee and its distinguished chairman. This I can do with propriety and actual knowledge as it was my privilege to serve as a member of the Flood Control Committee in the Seventy-fourth and Seventy-fifth Congresses. First, I wish to state that the Congress and the Nation are extremely fortunate in having the gentleman from Mississippi [Mr. WHITTINGTON] as chairman. My personal opinion is that no individual in or out of Congress is so familiar with and sympathetic to the disastrous and overwhelming problems caused by water run-off. This great committee, under his leadership, has formulated a plan for a comprehensive control of the water run-off in every section of the Nation. Benefits will continue to accrue from this program for generations to come.

It is not my intention to enter into a discussion of the very excellent report submitted as a comprehensive plan for development of the Missouri River Basin. I do wish to state that it is with great satisfaction that I have read the report and the letters from the Chief of Engineers, the Commissioners of Irrigation, the Federal Power Commission, and the Department of Agriculture.

The Missouri River Basin is the only large watershed in the Nation on which Congress has not authorized a comprehensive plan for flood control, navigation, irrigation, and an expanded domestic use of the water run-off. The future prosperity of this large section of the Nation will be largely determined by the use of this great natural resource.

The report submitted by the Chief of Engineers recommends a program of impounding the water run-off in vast sections of this area through multiple-type reservoirs. These reservoirs would have the beneficial effect of protecting areas downstream from floods, store water for local irrigation, furnish electric power in some areas, be of great benefit to the wildlife of the section, and furnish recreational areas that are badly needed. The multiple-purpose reservoir developments would accrue benefits to the rural communities in this section which is in the arid and semiarid region.

During the testimony before the committee on the entire watershed by Col. Miles A. Reber it was brought out that the entire program was flexible and the final construction of it would be through a coordinated policy approved by the Federal, State, and local areas. Personally, I am interested in the program as proposed for the Kansas River and its tributaries. The report mentions that the Kanopolis Reservoir will be completed as soon as material and labor can be released from war production. The Harlan Reservoir has congressional authorization. Plans for its construction have been completed and further authorization for funds are included in this proposal. This means that this project

would be given a green light at the earliest opportunity. Smaller reservoirs are being recommended on the tributary streams in Kansas and Nebraska. A project at Kirwin, Kans., has been under study for several years and the plans are now receiving final consideration in the Bureau of Reclamation office at Denver, and also before the Director of the War Food Administration. Every effort is being made for the economic justification of it as a project which fits into the Department's program for increased food production. Studies are being made and reports will soon be available on the project at Cedar Bluffs on the Smoky Hill.

All of these projects, plus others that are being studied on the Kansas River, will furnish great protection from floods, furnish water for irrigation, improve the rural conditions in the areas affected, and be of general economic benefit to the Nation.

During the hearings before the Flood Control Committee the State was fortunate to have as its representatives Hon. Joe R. Beeler, of Jewell County, who was the personal representative of Andrew J. Schoepel, Governor of the State; George S. Knapp, State water-resources engineer; and Dr. E. Porter Ahrens, State director of the National Reclamation Association, who represented the Republican River at the hearings. These gentlemen expressed approval of the plan submitted by the Army engineers and ably presented the views of Kansas.

At the conclusion of the war, thousands of young men will be returning to Kansas. These young men have served with honor and distinction as representatives of our State on foreign battlefields and in defense industries. They will want to return to their home State and home locality. It will be the duty of the State and Nation to work out a program that will furnish employment for them. The construction program submitted to this committee by the Chief of Engineers would, when completed, furnish great and lasting projects to our State and our Nation. Projects of this type must be given consideration if we are to avoid another leaf-raking program. This program is one of vision and promise. To me it is the beginning of a program that I have personally visualized for years. During my service in Congress I have consistently worked and voted for a comprehensive reservoir-control program for the water run-off in our section of the Nation. Those of us who are familiar with the ravages of floods and droughts could do no less than use our every means for early approval of the proposed plan.

Mr. WHITTINGTON. Mr. Chairman, I ask unanimous consent that the remaining sections of the bill be considered as read and printed in the RECORD at this point, and that amendments to any section of this part of the bill be in order.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

SEC. 8. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control

and allied purposes, including channel and major drainage improvements, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this act until the project for the proposed work shall have been adopted by law:

Chipola River, Ala. and Fla.; Wacassassa River and its tributaries, Fla., and of adjacent areas in Gilchrist and Levy Counties, Fla.; Oklawaha River and its tributaries, Fla., and of adjacent areas in Alachua and Marion Counties, Fla.; Scajaquada Creek and its tributaries, N. Y.; Buffalo River, Minn.; Wild Rice River, Minn.; Marsh River, Minn.; Sand Hill River, Minn.; Red Lake River, Minn.; Roseau River, Minn.; Snake River, Minn.; Middle River, Minn.; Tamarac River, Minn.; Two Rivers, Minn.; Warroad River and Bull Dog Creek, Minn.; Mississippi River and its tributaries, in the County of Altkin, Minn.; Apple River, Joe Daviess County, Ill.; Maumee River, Ind. and Ohio; Indian Creek, Ind. Osage River, Mo. and Kans. San Rafael Creek and its tributaries, California.

Bayamon and Hondo Rivers and their tributaries, municipality of Bayamon, P. R.

SEC. 9. That the sum of \$810,000,000 is hereby authorized to be appropriated for carrying out the improvements herein, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examination or survey provided for in this act and any other acts of Congress, to be prosecuted by said Departments. The sum of \$1,500,000 additional is authorized to be appropriated and expended by the Federal Power Commission for carrying out any examinations and surveys provided for in this act or any other acts of Congress, to be prosecuted by the said Federal Power Commission.

SEC. 10. That the following works of improvement for run-off and water flow retardation, and soil-erosion prevention, are hereby adopted and authorized in the interest of the national security and with a view toward an adequate reservoir of useful and worthy public works for the post-war construction program to be prosecuted by the Department of Agriculture, under the direction of the Secretary of Agriculture, in accordance with the plans of the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans and preliminary work may be prosecuted during the war with funds from appropriations heretofore or hereafter made for such works so as to be ready for rapid inauguration of post-war construction: *Provided further*, That when the existing critical situation with respect to materials, equipment, and manpower, no longer exists and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein authorized shall

be initiated as expeditiously as may be consistent with budgetary requirements and shall be prosecuted vigorously during the period of post-war reconversion.

LOS ANGELES RIVER BASIN

The program on the Los Angeles River watershed is hereby approved substantially in accordance with the recommendation of the Under Secretary of Agriculture in House Document No. 426, Seventy-seventh Congress, first session, at an estimated cost to the United States of \$8,380,000.

TRINITY RIVER BASIN, TEX.

The program on the Trinity River watershed is hereby approved substantially in accordance with the recommendation of the Secretary of Agriculture in House Document No. 708, Seventy-seventh Congress, second session, at an estimated cost to the United States of \$32,000,000.

LITTLE TALLAHATCHIE RIVER WATERSHED

The program on the Little Tallahatchie River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 892, Seventy-seventh Congress, second session, at an estimated cost to the United States of \$4,221,000.

COOSA RIVER WATERSHED (ABOVE ROME, GA.)

The program on the Coosa River watershed above Rome, Ga., is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 236, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$1,233,000.

LITTLE SIOUX RIVER WATERSHED

The program on the Little Sioux River watershed is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document No. 268, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$4,280,000.

POTOMAC RIVER WATERSHED

The program on the Potomac River watershed is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document No. 269, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$859,000.

COLORADO RIVER WATERSHED (TEXAS)

The program on those portions of the Colorado River watershed included in the watersheds of Pecan Bayou, San Saba River, Brady Creek, and the area tributary to the main stream of the Colorado River below its confluence with the Concho River and above the mouth of Pecan Bayou, is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document No. 270, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$2,693,000.

OUACHITA RIVER WATERSHED

The program on the Ouachita River watershed is hereby approved substantially in accordance with the recommendation of the Under Secretary of Agriculture in House Document No. 275, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$11,243,000.

SEC. 11. That the balance remaining from the authorization of \$10,000,000 provided in section 7 of the Flood Control Act approved June 28, 1938, for the 5-year period ending June 30, 1944, to correlate the program for the improvement of watersheds by the Department of Agriculture for measures of run-off and water flow retardation and soil-erosion prevention on the watersheds with the program for the improvement of rivers and other waterways by the Department of War is hereby reauthorized to be expended during the post-war period by the Department of Agriculture for the prosecution of the work au-

thorized in section 10 of this act: *Provided*, That not more than 20 percent of the authorization made available herein shall be expended on any one project.

SEC. 12. That section 7 of the act of June 28, 1938, (Public, No. 761, 75th Cong.), is hereby amended by adding at the end of the first sentence thereof the following: "The Secretary of Agriculture is hereby authorized in his discretion to undertake such emergency measures for run-off retardation and soil-erosion prevention as may be needed to safeguard lives and property from floods and the products of erosion on any watershed whenever fire or any other natural element or force has caused a sudden impairment of that watershed: *Provided*, That not to exceed \$100,000 out of any funds heretofore or hereafter appropriated for the prosecution by the Secretary of Agriculture of works of improvement or measures for run-off and water flow retardation and soil-erosion prevention on watersheds may be expended during any one fiscal year for such emergency measures."

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: On page 20, line 18, after the word "numbered" insert "513."

The amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: Page 25, line 7, after the period, insert "Choctawhatchee River, Fla."

The amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: Page 26, following line 1, insert "Deep Red Run in Tillman County, Okla.; Little Elk Creek, Salt Fork, Elm Creek, Saddle Mountain, Turkey Creek, Okla."

Mr. WHITTINGTON. Mr. Chairman, I am offering this amendment on behalf of the gentleman from Oklahoma [Mr. WICKERSHAM]. While I have not had an opportunity to confer with the Corps of Engineers, my information is that some of those streams have not been surveyed, and if the others have been, it will not be objectionable, so I see no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

There was no objection.

Mr. HAGEN. Mr. Chairman, I move to strike out the last word.

(Mr. HAGEN asked and was given permission to revise and extend his remarks in the RECORD.)

Mr. HAGEN. Mr. Chairman, all of us here, I am sure, are interested in this measure because of the ultimate benefits to the Nation as a whole. The people of northwestern Minnesota are particularly interested in this bill, H. R. 4485, because its passage will authorize a much-needed and meritorious project in the congressional district I represent. I refer to the flood-control project known as Red Lake River, including Clearwater River of Minnesota.

We also are particularly interested in this bill because it includes authorizations for preliminary examinations and

surveys for flood control and allied purposes of 12 other rivers and creeks in northwestern Minnesota. They are Buffalo River, Wild Rice River, Marsh River, Red Lake River, Roseau River, Sand Hill River, Snake River, Middle River, Tamarac River, Two Rivers, Warroad River, and Bull Dog Creek.

The Red Lake-Clearwater project will cost the Federal Government \$902,940. It has been recommended by the Chief of Engineers of the War Department as a worthy undertaking. An additional cost of \$86,000 will be borne by local agencies.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HAGEN. I yield to my colleague from Minnesota.

Mr. JUDD. I should like to take this opportunity to inform the House that not only is the gentleman speaking for himself and the district he has the honor to represent, but all of us from the Minnesota districts. We have examined this thing carefully and are thoroughly in favor of it. The Red Lake and Clearwater Rivers drain one of the richest basins in the world for raising grains and seed crops and a great variety of products which are greatly needed now. This is a very important project which can be finished in a relatively short time so that this land can be brought into production. Its benefits can be made available even before the war is over. So I compliment the gentleman on bringing this matter to the attention of the House.

Mr. HAGEN. I thank my colleague from Minnesota for his comments and cordial remarks.

The Secretary of War recommends that this project be started after the war. However, substantial facts have been presented by the Minnesota Department of Conservation, as well as other groups and individuals and myself, showing that this particular project should be undertaken now as an aid in increasing food production for the war effort.

On the occasion of one of my appearances before the House Committee on Flood Control, I discussed the immediate need for the completion of this flood-control project. Just prior to that time Col. George R. Goethals, Chief, Civil Works Division, office of the Chief of Engineers, War Department, also testified that the results of the project would be highly beneficial.

The Red Lake and Clearwater Rivers periodically overflow their banks and flood some of the most productive farm land in America. The adjacent territory is a well settled farming area of hard-working farmers operating medium-sized farms. Various grains, hay, and other forage crops are grown. Dairying, livestock, and poultry raising are also carried on to an extensive degree.

These floods not only destroy crops but create such personal hardships for the farmers and families in that area that during recent wet years some of them have had to move elsewhere.

According to the report of the United States Bureau of Agricultural Economics, farmers and taxpayers in the flood area have suffered a loss of more than \$3,384,000 during the years 1919 to 1939. Some

of the more recent years have been the worst flood periods.

Record crops have been raised during average years, and some of the drought-stricken sections have had to depend upon their forage and grain crops for livestock feed from the Red Lake-Clearwater area.

Completion of this project now will greatly increase food production for the war effort with a minimum of cost to the Government.

My predecessor in Congress, Representative R. T. Buckler, and I, as his secretary for 8 years, have been actively interested in this project for a long time, and we have received wonderful cooperation from many individuals, committees, and officials in an effort to bring efforts of more than 30 years to a successful culmination.

The passage of this omnibus flood-control bill by the House of Representatives, with the inclusion of the Red Lake-Clearwater River project, marks the furthest step forward in the long history of this excellent proposal.

In order that my colleagues in the House may be more familiar with this particular project I desire to make a few pertinent remarks concerning it.

Red Lake River, the principal tributary of the Red River of the North, has its source at the outlet of lower Red Lake in the northwestern part of Minnesota, flows generally westward through a meandering course for 196 miles, and empties into the Red River of the North at East Grand Forks, Minn. The drainage area contains 5,711 square miles, of which about 500 square miles are water surface. The principal tributary is Clearwater River, which enters from the south about 90 miles above the mouth of Red Lake River.

The Chief of Engineers has investigated the flood problem on the Red Lake River and its tributaries pursuant to the authority contained in the Flood Control Act approved June 28, 1938, and has submitted a report to Congress in which he recommends adoption of a Federal project for the regulation of Red Lake for flood control by the installation of three hand-operated Tainter gates and other appurtenant works and for the rectification, clearing, and enlarging of the channels of Red Lake River and Clearwater River, Minn., at an estimated cost to the United States of \$902,940.

The Flood Control Committee believes that the improvements outlined in the report of the Chief of Engineers would provide a reasonably satisfactory solution of the water supply problems in the Red Lake River Basin and the control of floods resulting from direct overflow from streams within the Red Lake River Basin and it has recommended the authorization of the work proposed by the Chief of Engineers.

It now appears that the project will at last be approved by Congress. I sincerely hope that this body will see fit at a later date to appropriate the necessary funds to start work on the project during 1944-45.

Over a long period of time, many public officials, civic-minded citizens, town-

ship officials, and farmers have cooperated and expended unselfish efforts to advance this most worthy plan. This authorization and approval by the House today, and the expected passage by the Senate, gives renewed hope to hundreds of farmers and their families in the large area which will be most benefited. I am happy to have had a part in the work of advancing this plan to its present stage of development.

As the Representative in Congress from the Ninth District of Minnesota, I urge and ask the continued cooperation of my constituents and my colleagues here in the House in the next steps forward to ultimate completion of the project.

Now our special efforts must be directed toward the approval of the plan by the Department of Agriculture and the War Department as an emergency wartime effort to increase the food supply.

If the farmers of this area definitely know that their crops will not be destroyed by floods, they will plant and produce a large amount of food and crop products. If we are not able to get the project started as an emergency wartime job, we will ask for funds at the appropriate time to get the project under way immediately after the close of the war.

The fine public spirit of citizens, townsmen, and farmers alike assures me of their continued interest and cooperation in the advancement of this long-pending Red Lake-Clearwater River project.

The victory and the undertaking of this great flood-relief job is in sight. I believe my long experience with it will be helpful. I will continue to do everything within the power and influence of my office as a Member of Congress and to the best of my ability to see it through to completion.

[Mr. MURPHY addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: On page 25, between lines 8 and 9 insert the following: "Susquehanna River, in the vicinity of Endicott, Johnson City, and Vestal, N. Y."

Mr. WHITTINGTON. Mr. Chairman, I see no objection to the amendment. The gentleman has adopted the recommendation we made to him earlier in the afternoon.

Mr. EDWIN ARTHUR HALL. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

Mr. CASE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE: On page 26, after line 2, insert "Grand River, S. Dak., Moreau River, S. Dak."

Mr. WHITTINGTON. Mr. Chairman, I am unable to state whether or not an examination and survey of those two streams has been ordered. I am agreeable to this amendment being included

if it is agreeable to the other members of the committee. If we find an examination and survey has been ordered, it can be eliminated in the Senate or in conference.

Mr. CASE. That is satisfactory.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. SCRIVNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I inquire of the chairman of the committee with regard to the Marais des Cygnes River in Kansas? On page 26, line 1 of the bill, reference is made to the Osage River, Missouri and Kansas. As a matter of fact and a matter of history, the Osage River starts in Missouri, but the upper part of the Osage was known throughout all our geographies until the last 3 or 4 years as the Marais des Cygnes. May I ask the chairman whether this reference to the "Osage River, Missouri and Kansas," includes the Marais des Cygnes River in Kansas?

Mr. WHITTINGTON. If I may answer the question of the gentleman, and I think the House is justified in relying upon his statement that that river is also known by another name, I am sure that the river, no matter what it is known as locally, will be reported on as the Osage River, sometimes called, as the gentleman has pointed out, the Marais des Cygnes. I have in mind that the Arkansas is called Ar-Kansas out in Kansas, but we get a report on the same stream whether it is called Arkansasaw or Ar-Kansas.

Mr. SCRIVNER. Mr. Chairman, during the last week the flood waters have just receded from several towns along the Marais des Cygnes, and it has resulted in the second highest flood in the history of the State. So we feel it is quite an important problem.

I yield back the balance of my time.

T. V. A. IS NOT A YARDSTICK

Mr. MILLER of Connecticut. Mr. Chairman, I move to strike out the last word.

A few weeks ago this House passed the annual independent offices appropriation bill and sent it to the other end of the Capitol for approval. Amendments that will have a far-reaching effect on the future operations of the Tennessee Valley Authority have been adopted by the Senate, and the bill is now in conference.

In anticipation of the day that I will be called upon to vote for or against these T. V. A. amendments, I have recently read two very interesting books; one, *The Power Industry and the Public Interest*, which is a summary of the results of a survey of the relations between the Government and the electric-power industry made under the direction of the trustees of the Twentieth Century Fund. The other book was *T. V. A.—Democracy on the March*, by David E. Lilienthal, Chairman of the Tennessee Valley Authority.

The adoption of the T. V. A. amendments to which I have referred brings the whole subject of the T. V. A. and its future before Congress. Regardless of how we may individually feel as to the

wisdom of setting up the T. V. A., we must now accept the fact that the people we represent have an investment of more than \$800,000,000 in the Tennessee Valley Authority. As I see it, our problem today is to determine just how we can make the best possible use of the T. V. A. property, and just what we should do to bring about the greatest possible return on this huge investment.

I have my own personal views regarding the wisdom of permitting the Federal Government to embark on the T. V. A. program. Frankly, I cannot help but wonder if we might not have been better off, as a nation, if, instead of spending \$800,000,000 of the taxpayers' money in the development of the Tennessee Valley Authority, we had permitted private capital to finance these projects. There are millions of dollars of private capital lying idle in banks scattered all over the country. Money that could have been invested in expanding the private power industry, not only in the Tennessee Valley area but throughout the Nation. However, as far as T. V. A. is concerned, that question has been settled.

Before the House passes on the T. V. A. amendments to the independent offices appropriation bill, there is one ghost that I would like to see laid once and for all. I would like to scotch the yardstick idea that has confused so many people whenever T. V. A. was discussed. If the taxpayers of this Nation are going to endorse and support the program of T. V. A., they have a right to know just what the supporters of T. V. A. have in mind. Was T. V. A. set up to provide a yardstick for the electric-power industry or was it created as part of a great social experiment of developing the national resources of the Tennessee Valley?

Unfortunately, the Federal Power Commission with the sanction of Congress has spent thousands of dollars printing volumes, comparing T. V. A. electrical rates with the rates charged by private utility companies in every city, town, village, and hamlet throughout the United States. Our distinguished colleague the gentleman from Mississippi [Mr. RANKIN] has filled page after page of the CONGRESSIONAL RECORD with similar comparisons.

The complaint of many supporters of private industry is not with the great social experiment of developing all the national resources of the valley and raising the standard of living. Nor is its resentment directed at the notable practical demonstration which the T. V. A. and the Canadian Hydro have made in proving the large per capita use which the public will make of electricity in the home, provided rates are sufficiently low. It is directed principally against the use of the T. V. A. rate schedules and average per kilowatt-hour prices paid in the territory as a yardstick by which the public may judge the extent of the robbery perpetrated upon them by private industry.

May I, at this time, quote from statements made by men who have supported T. V. A. from its very beginning?

The views of Prof. Martin G. Glaeser, who helped determine the T. V. A. rate

schedules in 1933, with respect to the validity of the yardstick have been stated as follows:

Long ago I had concluded that the yardstick idea is a will-o'-the-wisp which lends itself admirably to propaganda purposes, but the pursuit of which could end only in a bog of discussion, of claim and counter-claim.

Also, on the question of yardstick, I quote from the Twentieth Century Fund report on *The Power Industry and the Public Interest*:

The national significance of the T. V. A. experiment in relation to the regulation of power rates by State commissions has been dramatized by the invidious term, "yardstick."

Although, in its early years, the T. V. A. wholesale rate was featured as a yardstick by the T. V. A. and its supporters, that claim has now been abandoned. Conditions of generation differ so widely between a multiple-purpose project and a private plant that equality, or even comparability, of costs cannot be expected. The cost of generation by the T. V. A., no matter what method of allocation is used, cannot be a measure of reasonable costs for any other plant, whether steam or hydroelectric.

Nor has the retail yardstick any more scientific validity. If the wholesaler does not operate on a strictly commercial basis, development costs cannot be readily allocated to the retail distributor. Furthermore, the over-all wholesale-retail costs are no more comparable to those of other utilities than is the wholesale rate itself. Insofar as costs have been shifted or absorbed in expenditures for other purposes, the ability of T. V. A. distributors to show a profit is no proof that their resale rates are reasonable.

Still on the subject of yardsticks, I turn to the Chairman of the Tennessee Valley Authority, Mr. David E. Lilienthal, who, in his recent book, states:

The particular rates embodied in the T. V. A. schedule were not to be an absolute standard of precisely what should be charged for electricity anywhere and everywhere in the country, with the implication that any company charging more than the T. V. A. rate was therefore proved an extortionist. The country is far too diverse, conditions are far too varied, for any such oversimplification.

I am sure that my distinguished colleague [Mr. RANKIN] will accept the testimony of the three outstanding authorities I have quoted, and that we will hear no more about the T. V. A. yardstick.

David E. Lilienthal is one of the greatest living authorities on T. V. A. For one I accept his statement that T. V. A. rates should not be used as a yardstick. I have heard the T. V. A. yardstick called a 20-inch yardstick or a rubber yardstick. It is gratifying to learn from such eminent authority that there is no yardstick as far as the T. V. A. is concerned.

I intend to oppose any T. V. A. amendments that might "hamstring" those who are charged with protecting the taxpayers' investment. That statement does not mean that I think the T. V. A. act, in its present form, is perfect. It is my belief that inasmuch as the T. V. A. must continue to operate in competition with private utilities, it should pay all taxes at the same rate paid by competing private companies. If the consumer of electricity bought from a privately financed power and electric-light com-

pany is to pay a sales tax on the amount of his light bill, then certainly those who buy electricity from a T. V. A. Government-financed company should pay a tax at the same rate. In the near future I hope to prepare some figures comparing the taxes paid by T. V. A. and its consumers, with the taxes paid by private electric-light companies and their consumers.

(By unanimous consent, Mr. MILLER of Connecticut received permission to revise and extend his remarks.)

Mr. BREHM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BREHM: On page 25, line 7, after the period in line 7, strike out the period and insert a comma and the words "Hocking River in Hocking County, Ohio."

Mr. WHITTINGTON. Mr. Chairman, I would say in deference to the gentleman from Ohio, I am sure a report on the Hocking River was authorized. For that reason I suggest the gentleman withdraw his amendment, and if you find or I find it is not authorized, we can ask the Senate to insert it.

Mr. BREHM. Mr. Chairman, some 3 or 4 weeks ago I talked with the Army engineers' office here in Washington regarding this section of the Hocking River at Rockbridge, Ohio, and its destructive effects upon the farms adjacent thereto, and was informed that they would be pleased to have their engineer make a survey of this area. My amendment authorizes that this action be taken.

Mr. WHITTINGTON. Mr. Chairman, in view of that statement, I have no objection to this stream being included.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BREHM].

The amendment was agreed to.

(By unanimous consent, Mr. NORRELL received permission to revise and extend his remarks.)

[Mr. NORRELL addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, yesterday I spoke of a project that might be listed on page 25 of this bill and the Chair said if I would name the stream it might be included. I am not quite sure whether it has already been included in a survey. I refer to the Hassayampa River in Arizona. It may have been included in a general survey of the Gila River and its tributaries which is one of those extensive surveys begun some years ago and still in progress. Acting on the suggestion the Chairman has made to several other Members, I would like to take that question up further and see whether a survey has been made on the Hassayampa.

Mr. WHITTINGTON. Mr. Chairman, if that be the stream which the gentleman mentioned to me yesterday, I took it up with the Office of the Chief of Engineers and I was advised the report was in process of being submitted. If you

find that statement is not absolutely correct with respect to this stream you just mentioned, I suggest you ask for an examination of it to be included in the Senate bill. But I think that is a correct statement.

Mr. MURDOCK. I thank the gentleman for that suggestion. He made a similar suggestion to the gentleman from California a moment ago, which I would like also to act upon. As I said yesterday, there is a flood-control situation badly needing action at Holbrook, Ariz., on the Little Colorado which has been looked into and carefully studied by the Army engineers. They have made their complete report some time ago and the only thing left in finishing this report is that it has not cleared the Bureau of the Budget, nor the Bureau of Reclamation. However, I happen to know that the Bureau of Reclamation is favorable to it and would interpose no objection. In the same way, then, I should like to have this referred to the Senate after clearance is had and later possibly to the conferees in regard to this same bill, because the flood hazard at Holbrook is very, very bad. The Army engineers' report is complete up to the point indicated.

Now, Mr. Chairman, I would like to take the remainder of my time on a matter of general policy covered in this measure. We have had a good deal said here today in regard to the implications of this bill, that it does not affect reclamations or power production, because it applies solely to flood control or navigation. The words of the Chairman to that affect are reassuring and I am glad to have them. However, I want to point out that years ago in order to inject the Federal Government into the regulation of some of these rivers and justify the expenditure of Federal funds, the constitutional phrase "control of navigation" by Congress has been greatly extended by wide interpretation. I am not so sure but that the Government has erected some flood-control and even some irrigation dams under the guise of affording navigation. If the Chairman is referring specifically to actual navigation as covered by the terms of this bill, its effects may be well and good. If, however, a dam on the river that flows by my door, the Roosevelt Dam, begun in 1906 and finished in 1911, which is also a flood-control dam, but primarily for irrigation, if that dam is to be controlled by an agency other than the Bureau of Reclamation because it has some flood-control possibilities or because it has something to do with navigation actually or impliedly, then, of course, that is something else yet. I want to point out to the chairman of the Flood Control Committee that here is a danger of centralizing too much power in the hands of the War Department in the control of our western rivers.

At the same time, however, I want to say that I have great confidence in the Army engineers. They have done a magnificent job. I want them to continue, but I do not want to centralize control of all of our rivers even in the hands of the War Department.

The CHAIRMAN. The time of the gentleman from Arizona [Mr. MURDOCK] has expired.

[Mr. RANKIN addressed the Committee. His remarks will appear hereafter in the Appendix.]

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. RAMEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I appreciate the fact that this is a bill authorizing the construction of certain public works on river and harbors for flood control and other purposes. It had been my intention to introduce an amendment to provide for relief from damage caused by floods from Lake Erie in the Howard Farms area. Three floods have left over 300 people homeless. I have talked to the Chairman of the Committee on Flood Control, however, for whom I have the most profound respect, and will not offer that amendment at this time.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield at that point?

Mr. RAMEY. I shall be most happy to yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I should like to say that the gentleman has been most fair and most cooperative. This project was not reported by the Chief of Engineers under any authorization survey. The gentleman from Ohio on yesterday spoke with respect to the project. He called the committee's attention to the fact that the senior Senator from Ohio [Mr. TAFT] had introduced a bill and that a report had been made on that bill and that there were hearings in the Senate.

Mr. RAMEY. That is right.

Mr. WHITTINGTON. I say to the gentleman now as I said to him then that in as much as we have had no recommendation from the Chief of Engineers and no report, yet, if there is a favorable report on the project and it is included in this bill in the other body I think the conferees would be authorized to agree to its being included in the bill. In fact, I think we might make that agreement based on the assumption that there is a favorable report from the Chief of Engineers.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. RAMEY. I yield.

Mr. JENKINS. As I understand it, what the distinguished gentleman from Mississippi says amounts to this, that if the gentleman does not press for his amendment now, if Senator TAFT's amendment is placed in this bill in the Senate, the distinguished gentleman from Mississippi will not interpose any opposition to the matter in conference.

Mr. WHITTINGTON. Mr. Chairman, if the gentleman will yield, the gentleman from Mississippi meant exactly what he said and said exactly what he meant, that if there was a favorable report on that bill and if it was included by the other body in the bill that it would occur to me—and I said that to the gentleman previously—that the conferees would be authorized in agreeing to its remaining in the bill.

Mr. JENKINS. If the gentleman gives us that assurance I know he will do exactly that. The point I am trying to lead to is this: That if that is done there should be no reason for the conference committee to come back and say: "We kept something out that was exactly similar to that." There will be nothing like that to interfere.

Mr. WHITTINGTON. No; on the contrary I stated to the gentleman and to other Members similarly situated that if those projects were recommended the other body would have the right to include them in the bill and then they could be included by the conferees.

Mr. RAMEY. I thank the chairman of the committee for his consideration and yield back the balance of my time.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the bill before the House is a very important one to many sections of the country, especially mine; but right now, Mr. Chairman, I am more interested in getting those dikes and levees on the Missouri River repaired. Every year for the past several years we have had floods on the Missouri River which have torn out the dikes and levees and have flooded many thousands of acres of rich soil and farm land. Right now much land cannot be put into crops because it is covered with water. I should like to ask the chairman of the committee if he is able to give us a statement as to just when we can expect this emergency flood-control authorization bill to come before the Congress so we can get some action and get repaired those dikes that are now out along the rivers.

Mr. WHITTINGTON. Understanding that the gentleman directs his inquiry to me, I restate as I have repeatedly stated that we have requested the Chief of Engineers to submit recommendations as to the amounts required for emergency repairs of existing flood-control works damaged or destroyed by floods in the midcontinental area.

Mr. JENSEN. Will the gentleman from Mississippi indicate about when we may expect the bill to come before the House?

Mr. WHITTINGTON. I would say this—and without meaning to be presumptuous—I am a member of several committees. I do not know of any committee that has been more prompt in dealing with these emergency matters, giving them prompt attention and reporting on them than the Committee on Flood Control. I trust that the policy that has obtained in the past will obtain in the future.

Mr. JENSEN. I thank the gentleman.

Mr. Chairman, up to date but little money has been spent on the Missouri River as compared with the large rivers of the Nation and I am happy to support a bill which will give us some relief in that very large area of the Missouri River Basin. As I said before, the floods have been devastating and have kept many thousands of acres of the finest land that lies out of doors out of cultivation. The loss has been so great to many of those people along the river that it has been almost unbearable. So I know I voice

the sentiment of the people of my district when I say now that some relief is in sight by the passage of this bill, the folks will be very pleased and happy to know that the Congress of the United States has finally gotten around to doing something of a permanent nature instead of just handing out little piecemeals to the people who live along the Missouri River.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WHITTINGTON. Mr. Chairman, I know of no further debate and no further amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, pursuant to the provisions of House Resolution 517, reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. ANDREWS of New York. Mr. Speaker, I move to recommit the bill.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDREWS of New York. I am opposed to the bill in its present form.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. ANDREWS of New York moves to recommit the bill to the Committee on Flood Control.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to revise and ex-

tend the remarks I made in the Committee of the Whole awhile ago and to include therein some excerpts from the record of testimony before the Senate Commerce Committee.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

MEMORIAL SERVICES

Mr. MURDOCK. Mr. Speaker, I offer a resolution, and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 538), as follows:

Resolved, That on Wednesday, the 31st day of May 1944, immediately after the approval of the Journal, the House shall stand at recess for the purpose of holding the memorial services as arranged by the Committee on Memorials, under the provisions of clause 40-A of rule XI. The order of exercises and proceedings of the service shall be printed in the CONGRESSIONAL RECORD, and all Members shall have leave for 60 legislative days to extend their remarks in the CONGRESSIONAL RECORD, on the life, character, and public service of the deceased Members. At the conclusion of the proceedings the Speaker shall call the House to order and then, as a further mark of respect to the memories of the deceased, he shall declare the House adjourned: And be it further

Resolved, That the necessary expenses connected with the memorial services herein authorized shall be paid out of the contingent fund of the House upon vouchers signed by the chairman of the Committee on Memorials and approved by the Committee on Accounts.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by Governor O'Connor at the opening of the Pulaski Highway in Maryland.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. D'ALESSANDRO]?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

(Mr. WICKERSHAM and Mr. SHAFER asked and were given permission to extend their own remarks in the RECORD.)

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WOODRUFF] may have permission to extend his own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. DONDERO. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the Appendix of the RECORD

75-24
10



78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 10 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Commerce

AN ACT

Authorizing the construction of certain public works on rivers
and harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the words "flood control" as used in section 1 of the
4 Act of June 22, 1936, shall be construed to include channel
5 and major drainage improvements, and that hereafter Federal
6 investigations and improvements of rivers and other water-
7 ways for flood control and allied purposes shall be under
8 the jurisdiction of and shall be prosecuted by the War De-
9 partment under the direction of the Secretary of War and
10 supervision of the Chief of Engineers, and Federal investi-
11 gations of watersheds and measures for run-off and water-

1 flow retardation and soil-erosion prevention on watersheds
2 shall be under the jurisdiction of and shall be prosecuted
3 by the Department of Agriculture under the direction of the
4 Secretary of Agriculture, except as otherwise provided by
5 Act of Congress.

6 SEC. 2. That section 3 of the Act approved June 22,
7 1936 (Public, Numbered 738, Seventy-fourth Congress), as
8 amended by section 2 of the Act approved June 28, 1938
9 (Public, Numbered 761, Seventy-fifth Congress), shall apply
10 to all works authorized in this Act, except that for any chan-
11 nel improvement or channel rectification project provisions
12 (a), (b), and (c) of section 3 of said Act of June 22, 1936,
13 shall apply thereto, and except as otherwise provided by
14 law: *Provided*, That the authorization for any flood-control
15 project herein adopted requiring local cooperation shall expire
16 five years from the date on which local interests are notified
17 in writing by the War Department of the requirements of
18 local cooperation, unless said interests shall within said time
19 furnish assurances satisfactory to the Secretary of War that
20 the required cooperation will be furnished.

21 SEC. 3. The Chief of Engineers, under the supervision
22 of the Secretary of War, is authorized to construct, maintain,
23 and operate park and recreational facilities in reservoir areas
24 under the control of the War Department, and to permit the
25 construction, maintenance, and operation of such facilities.

1 The Secretary of War is authorized to grant leases of lands,
2 structures, or facilities in reservoir areas for such periods
3 and upon such terms as he may deem reasonable: *Provided*,
4 That licenses to Federal, State, or local governmental
5 agencies for the use of areas suitable for public park and
6 recreational purposes may be granted without monetary
7 consideration when the Secretary of War determines such
8 action to be in the public interest. All moneys received for
9 leases or privileges shall be deposited in the Treasury of the
10 United States as miscellaneous receipts.

11 SEC. 4. That the Secretary of War is authorized to sell
12 to States, municipalities, private concerns, or individuals, at
13 such prices and on such terms as he may deem reasonable,
14 for domestic and industrial uses surplus water that may be
15 available at any reservoir under the control of the War
16 Department. All moneys received from such sales shall be
17 deposited in the Treasury of the United States as miscel-
18 laneous receipts.

19 SEC. 5. Hereafter, it shall be the duty of the Secretary
20 of War to prescribe regulations for the use of storage avail-
21 able for flood control or navigation at all reservoirs con-
22 structed wholly or in part with Federal funds provided on the
23 basis of such purposes, and the operation of any such project
24 shall be in accordance with such regulations.

25 SEC. 6. Hereafter, whenever in the opinion of the Secre-

1 tary of War and the Chief of Engineers any dam and reservoir
2 project operated under the direction of the Secretary of
3 War can be consistently used for reclamation of arid lands,
4 it shall be the duty of the Secretary of the Interior to pre-
5 scribe regulations under existing reclamation law for the use
6 of the storage available for such purpose, and the operation
7 of any such project shall be in accordance with such regula-
8 tions. Such rates, as the Secretary of the Interior may deem
9 reasonable, shall be charged for the use of said storage; the
10 moneys received to be deposited into the Treasury to the
11 credit of miscellaneous receipts: *Provided*, That this section
12 shall not apply to any dam or reservoir heretofore constructed
13 which supplements any existing locally operated irrigation
14 districts.

15 SEC. 7. That the following works of improvement for
16 the benefit of navigation and the control of destructive flood
17 waters and other purposes are hereby adopted and author-
18 ized in the interest of the national security and with a view
19 toward providing an adequate reservoir of useful and worthy
20 public works for the post-war construction program, to be
21 prosecuted under the direction of the Secretary of War and
22 supervision of the Chief of Engineers in accordance with the
23 plans in the respective reports hereinafter designated and
24 subject to the conditions set forth therein: *Provided*, That
25 the necessary plans, specifications, and preliminary work

1 may be prosecuted during the war, with funds from appro-
2 priations heretofore or hereafter made for flood control, so
3 as to be ready for rapid inauguration of a post-war program
4 of construction: *Provided further*, That when the existing
5 critical situation with respect to materials, equipment, and
6 manpower no longer exists, and in any event not later than
7 immediately following the cessation of hostilities in the
8 present war, the projects herein shall be initiated as expe-
9 ditiously and prosecuted as vigorously as may be consistent
10 with budgetary requirements: *And provided further*, That
11 penstocks and other similar facilities adapted to possible
12 future use in the development of hydroelectric power shall
13 be installed in any dam herein authorized when approved
14 by the Secretary of War on the recommendation of the
15 Chief of Engineers and the Federal Power Commission.

16 CONNECTICUT RIVER BASIN

17 In addition to previous authorizations, there is hereby
18 authorized to be appropriated the sum of \$30,000,000 for
19 the prosecution of the comprehensive plan approved in the
20 Act of June 28, 1938, as modified by the Act approved
21 August 18, 1941, for the Connecticut River Basin: *Provided*,
22 That neither this authorization nor previous authorizations
23 shall be construed to authorize the construction of a high
24 dam at the Williamsville site.

1 THAMES RIVER BASIN

2 In addition to previous authorizations, there is hereby
3 authorized the completion of the plan approved in the Act
4 of August 18, 1941, for the Thames River Basin at an
5 estimated cost of \$7,200,000.

6 HOUSATONIC RIVER BASIN

7 The project for the Thomaston Reservoir on the Nauga-
8 tuck River, for flood control in the Housatonic River
9 Basin, Connecticut, is hereby authorized substantially in
10 accordance with the recommendations of the Chief of
11 Engineers in House Document Numbered 338, Seventy-
12 seventh Congress, first session, at an estimated cost of
13 \$5,151,000.

14 SUSQUEHANNA RIVER BASIN

15 The project authorized by the Act of June 22, 1936,
16 to provide for local protection works on the Susquehanna
17 River at Harrisburg, Pennsylvania, is hereby modified sub-
18 stantially in accordance with the recommendations of the
19 Chief of Engineers in House Document Numbered 702,
20 Seventy-seventh Congress, second session, at an estimated
21 cost of \$2,227,000.

22 The project for flood protection at Tyrone, Pennsyl-
23 vania, on the Little Juniata River, Pennsylvania, is hereby
24 authorized substantially in accordance with the recommenda-
25 tions of the Chief of Engineers in House Document Num-

bered 702, Seventy-seventh Congress, second session, at an estimated cost of \$1,392,000.

The plan for flood control in southern New York and eastern Pennsylvania authorized by the Act of June 22, 1936, as modified by the Act of August 18, 1941, is hereby further modified to include the South Plymouth and Gengantslet Reservoirs on tributaries of the Chenango River substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 702, Seventy-seventh Congress, second session, at an estimated additional cost of \$4,755,000.

The plan for the Raystown Reservoir on the Raystown Branch of the Juniata River, Pennsylvania, for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 702, Seventy-seventh Congress, second session, is approved, and there is hereby authorized to be appropriated the sum of \$2,000,000 for the initiation and partial accomplishment thereof.

MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the Allatoona Reservoir on the Etowah River, Georgia, approved in the Act of August 18, 1941, at an estimated cost of \$14,400,000.

LOWER MISSISSIPPI RIVER

1 The project for flood control and improvement of the
2 Lower Mississippi River adopted by the Act of May 15,
3 1928, as amended by subsequent Acts of Congress, is
4 hereby modified in accordance with the recommendations
5 of the Chief of Engineers in House Document Numbered 509,
6 Seventy-eighth Congress, second session, and, as modified,
7 is hereby adopted and there is hereby authorized to be
8 appropriated, in addition to the sums previously authorized,
9 \$200,000,000 for the accomplishment of the purposes set
10 forth in said document.

12 The project for flood control on the Boeuf and Tensas
13 Rivers and Bayou Macon, Arkansas and Louisiana, is hereby
14 authorized substantially in accordance with the recommenda-
15 tions of the Chief of Engineers in Senate Document Num-
16 bered 151, Seventy-eighth Congress, second session, at an
17 estimated cost of \$5,013,000.

18 The project for flood control on the Big Sunflower, Little
19 Sunflower, Hushpuckena, and Quiver Rivers and their tribu-
20 taries, and on Hull Brake-Mill Creek Canal, Bogue Phalia,
21 Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi,
22 is hereby authorized substantially in accordance with the
23 recommendations of the Chief of Engineers in House Docu-
24 ment Numbered 516, Seventy-eighth Congress, second
25 session, at an estimated cost of \$3,752,000.

1 The project for flood protection in the backwater area
2 of the Yazoo River authorized in the Flood Control Act of
3 August 18, 1941, is hereby amended to authorize the Chief
4 of Engineers, in his discretion, to include improvements for
5 the protection of the Satartia area at an estimated additional
6 cost of \$1,061,000 or, in his discretion, to include improve-
7 ments for the protection of the Satartia area plus its extension
8 at an estimated additional cost of \$1,952,000.

9 RED-OUACHITA RIVER BASIN

10 In addition to previous authorizations, there is hereby
11 authorized the completion of the plan approved in the Act of
12 August 18, 1941, for the Little Missouri River in Arkansas,
13 at an estimated cost of \$3,800,000.

14 ARKANSAS RIVER BASIN

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$35,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of June 28, 1938, as modified by the Act approved
19 August 18, 1941, for the Arkansas River Basin.

20 The projects for local flood protection on the Arkansas
21 River are hereby modified and authorized substantially in
22 accordance with the recommendations of the Chief of
23 Engineers in House Document Numbered 447, Seventy-

1 eighth Congress, second session, at an estimated additional
2 cost of \$10,299,400.

3 The project on tributaries of the Fountaine Que Bouille
4 River for flood protection at Colorado Springs, Colorado, is
5 hereby authorized substantially in accordance with the recom-
6 mendations of the Chief of Engineers in House Document
7 Numbered 186, Seventy-eighth Congress, first session, at an
8 estimated cost of \$500,000.

9 The project on Purgatoire River for local flood protection
10 at Trinidad, Colorado, is hereby authorized substantially in
11 accordance with the recommendations of the Chief of Engi-
12 neers in House Document Numbered 387, Seventy-eighth
13 Congress, second session, at an estimated cost of \$909,000.

14 WHITE RIVER BASIN

15 In addition to previous authorizations, there is hereby
16 authorized to be appropriated the sum of \$45,000,000 for
17 the prosecution of the comprehensive plan approved in the
18 Act of June 28, 1938, as modified by the Act approved
19 August 18, 1941, for the White River Basin.

20 UPPER MISSISSIPPI RIVER BASIN

21 In addition to previous authorizations, there is hereby
22 authorized to be appropriated the sum of \$10,000,000 for
23 the prosecution of the comprehensive plan approved in the
24 Act of June 28, 1938, for the Upper Mississippi River
25 Basin.

1 The project authorized by the Act of June 22, 1936,
2 for local flood protection on the Mississippi River at the
3 Sainte Genevieve Levee District Numbered 1, Missouri, is
4 hereby modified substantially in accordance with the recom-
5 mendations of the Chief of Engineers in House Document
6 Numbered 727, Seventy-seventh Congress, second session,
7 at an estimated cost of \$141,000.

8 The project on the Mississippi River for local flood pro-
9 tection at Sabula, Iowa, is hereby authorized substantially
10 in accordance with the recommendations of the Chief of
11 Engineers in House Document Numbered 328, Seventy-
12 seventh Congress, first session, at an estimated cost of
13 \$25,000.

14 The project on the Galena River, for local flood protec-
15 tion at Galena, Illinois, is hereby authorized substantially in
16 accordance with the recommendations of the Chief of Engi-
17 neers in House Document Numbered 336, Seventy-seventh
18 Congress, first session, at an estimated cost of \$418,000.

19 The project for flood control on the Illinois River is
20 hereby authorized substantially in accordance with the recom-
21 mendations of the Chief of Engineers in House Document
22 Numbered 692, Seventy-seventh Congress, second session,
23 at an estimated cost of \$111,500.

24 The project on Elk Creek and Turkey River for local
25 flood protection at Elkport, Iowa, is hereby authorized sub-

stantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 700, Seventy-seventh Congress, second session, at an estimated cost of \$13,000.

RED RIVER OF THE NORTH BASIN

The projects for flood control for Red Lake River, Minnesota, including Clearwater River, Minnesota, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 345, Seventy-eighth Congress, first session, at an estimated cost of \$902,940.

MISSOURI RIVER BASIN

The general comprehensive plan for flood control and other purposes in the Missouri River Basin approved by the Act of June 28, 1938, as modified by subsequent Acts, is hereby expanded to include the plan of improvement for flood control, irrigation, power development, navigation, and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 475, Seventy-eighth Congress, second session; and as expanded is approved; and, in addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$200,000,000 for the partial accomplishment of the comprehensive plan as modified and expanded: *Provided*, That nothing in this Act shall be construed as creating below

1 Sioux City any demand upon the water resources of the
2 Missouri River Basin above Sioux City in excess of that
3 now authorized by existing law: *And provided further*, That
4 portions of the storage authorized for the main stem of the
5 river shall be placed on tributaries if the Secretary of War
6 and the Chief of Engineers find such action advisable for silt
7 control and in order to make more water readily available
8 for agricultural and industrial use without impairment of
9 flood control below Sioux City and without increasing the
10 authorized limit of cost.

11 The project adopted by the Act of June 22, 1936, to
12 provide flood protection for the Kansas Citys, Kansas and
13 Missouri, is hereby modified and extended to provide for
14 improvement substantially in accordance with the recom-
15 mendations of the Chief of Engineers in House Document
16 Numbered 342, Seventy-eighth Congress, first session, at an
17 estimated additional cost for the modified project of
18 \$8,445,000.

19 In addition to previous authorizations, there is hereby
20 authorized the completion of the plan approved in the Act
21 of August 18, 1941, for Cherry Creek and tributaries, Colo-
22 rado, at an estimated cost of \$7,500,000.

23 The project on Knife River for local flood control at
24 Beulah, North Dakota, is hereby authorized substantially in
25 accordance with the recommendations of the Chief of Engi-

1 neers in House Document Numbered 252, Seventy-eighth
2 Congress, first session, at an estimated cost of \$26,100.

3 The project on Knife River for local flood control at
4 Hazen, North Dakota, is hereby authorized substantially in
5 accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 252, Seventy-
7 eighth Congress, first session, at an estimated cost of \$6,600.

8 The project on Milk River adopted by the Act of June
9 22, 1936, to provide local flood protection at Harlem, Mon-
10 tana, is hereby modified substantially in accordance with the
11 recommendations of the Chief of Engineers in Senate Docu-
12 ment Numbered 103, Seventy-eighth Congress, first session,
13 at an estimated cost of \$21,100.

14 The project on Milk River for local flood protection at
15 Havre, Montana, is hereby authorized substantially in accord-
16 ance with the recommendations of the Chief of Engineers in
17 Senate Document Numbered 103, Seventy-eighth Congress,
18 first session, at an estimated cost of \$313,100.

19 The project on Boyer River for local flood control on
20 East Fork of Boyer River at Denison, Iowa, is hereby
21 authorized substantially in accordance with the recommenda-
22 tions of the Chief of Engineers in House Document Numbered
23 254, Seventy-eighth Congress, first session, at an estimated
24 cost of \$17,830.

25 The project on Nishnabotna River for local flood control

1 at Hamburg, Iowa, is hereby authorized substantially in ac-
2 cordance with the recommendations of the Chief of Engineers
3 in House Document Numbered 253, Seventy-eighth Con-
4 gress, first session, at an estimated cost of \$236,000.

5 The project on Bear Creek for local flood protection at
6 Morrison, Colorado, is hereby authorized substantially in
7 accordance with recommendations of the Chief of Engineers
8 in House Document Numbered 356, Seventy-eighth Con-
9 gress, first session, at an estimated cost of \$220,000.

10 OHIO RIVER BASIN

11 In addition to previous authorizations, there is hereby
12 authorized to be appropriated the sum of \$70,000,000 for
13 the prosecution of the comprehensive plan approved in the
14 Act of June 28, 1938, as modified by the Act approved
15 August 18, 1941, for the Ohio River Basin, including the
16 following projects in tributary basins, namely:

17 The local flood protection works in the Lake Chautauqua
18 and Chadakoin River area, substantially in accordance with
19 the recommendations of the Chief of Engineers in House
20 Document Numbered 685, Seventy-seventh Congress, sec-
21 ond session, at an estimated cost of \$135,500;

22 The local flood protection works at Dillonvale and
23 Adena on Short Creek, Ohio, substantially in accordance
24 with the recommendations of the Chief of Engineers in

1 House Document Numbered 889, Seventy-seventh Congress,
2 second session, at an estimated cost of \$158,200;

3 The local flood protection works at Taylorsville on Salt
4 River, Kentucky, substantially in accordance with the recom-
5 mendations of the Chief of Engineers in Senate Document
6 Numbered 105, Seventy-eighth Congress, first session, at
7 an estimated cost of \$129,350;

8 The local flood protection works at Latrobe on Loyal-
9 hanna Creek, Pennsylvania, substantially in accordance with
10 the recommendations of the Chief of Engineers in House
11 Document Numbered 444, Seventy-eighth Congress, second
12 session, at an estimated cost of \$112,500;

13 The Burr Oak Reservoir on the Hocking River, Ohio,
14 substantially in accordance with the recommendations of the
15 Chief of Engineers in House Document Numbered 762,
16 Seventy-seventh Congress, second session, at an estimated
17 cost of \$400,000;

18 The Rowlesburg Reservoir on the Cheat River, sub-
19 stantially in accordance with the recommendations of the
20 Chief of Engineers in the report submitted to Congress by
21 the Secretary of War on November 26, 1942, at an esti-
22 mated cost of \$29,230,000; and

23 The improvement in the Youghiogheny River Basin,
24 substantially in accordance with the recommendations of the
25 Chief of Engineers in a report submitted to Congress by the

1 Secretary of War on March 29, 1943, at an estimated cost
2 of \$37,970,000.

3 That the general comprehensive plan for flood control
4 and other purposes, approved in the Flood Control Act
5 of June 28, 1938, for the Ohio River Basin, is hereby
6 modified to include the construction of flood-control works
7 for the protection of Ridgway, Johnsonburg, Saint Marys,
8 and Brockway and vicinity in the State of Pennsylvania.

9 GREAT LAKES BASIN

10 The project for the Panther Mountain Reservoir on
11 Moose River, New York, is hereby authorized substantially
12 in accordance with the recommendations of the Chief of
13 Engineers in House Document Numbered 405, Seventy-
14 seventh Congress, first session, at an estimated cost of
15 \$600,000.

16 The project for flood control on Chittenango Creek and
17 tributaries, New York, is hereby authorized substantially
18 in accordance with the recommendations of the Chief of
19 Engineers in House Document Numbered 625, Seventy-
20 seventh Congress, second session, at an estimated cost of
21 \$111,000.

22 The projects for flood control on Owasco Inlet and Outlet,
23 Montville and Dry Creeks, State Ditch, and Crane Brook,
24 New York, are hereby authorized substantially in accordance

1 with the recommendations of the Chief of Engineers in
2 House Document Numbered 815, Seventy-seventh Congress,
3 second session, at an estimated cost of \$64,200.

4 COLORADO RIVER BASIN (TEXAS)

5 In addition to previous authorizations, there is hereby
6 authorized the completion of the plan approved in the Act
7 of August 18, 1941, for the North Concho River, Texas, at
8 an estimated cost of \$4,800,000.

9 In addition to previous authorizations, there is hereby
10 authorized the completion of the plan approved in the Act
11 of August 18, 1941, for Pecan Bayou, Texas, at an estimated
12 cost of \$1,560,000.

13 BRAZOS RIVER BASIN

14 In addition to previous authorizations, there is hereby
15 authorized the completion of Whitney Reservoir in accord-
16 ance with the plan approved in the Act of August 18, 1941,
17 for the Brazos River Basin, at an estimated cost of
18 \$15,000,000.

19 RIO GRANDE BASIN

20 The project on Willow Creek for local flood protection
21 at Creede, Colorado, is hereby authorized substantially in
22 accordance with the recommendations of the Chief of Engi-
23 neers in Senate Document Numbered 104, Seventy-eighth
24 Congress, first session, at an estimated cost of \$68,500.

SAN DIEGO RIVER BASIN

The project on the San Diego River for local flood protection at San Diego, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 635, Seventy-seventh Congress, second session, at an estimated cost of \$370,000.

VENTURA RIVER BASIN

The projects on the Ventura River and tributaries for local flood protection at Ventura and Ojai, California, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 323, Seventy-seventh Congress, first session, at an estimated cost of \$1,600,000.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the projects approved in the Act of June 22, 1936, as modified by the Act of June 28, 1938, for the Santa Ana River Basin and for the protection of Orange County, California, including the projects on Lytle and Cajon Creeks for local flood protection at San Bernardino and Colton, California, in accordance with the recommendations contained in the report of the Chief of Engineers dated February 11, 1944.

1 LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

2 In addition to previous authorizations, there is hereby
3 authorized to be appropriated the sum of \$25,000,000 for
4 the prosecution of the comprehensive plan approved in the
5 Act of August 18, 1941, for Los Angeles and San Gabriel
6 Rivers and Ballona Creek, California.

7 SACRAMENTO-SAN JOAQUIN RIVER BASIN

8 SACRAMENTO RIVER

9 The projects for the control of floods and other purposes
10 on the Sacramento River, California, adopted by the Acts
11 approved March 1, 1917, May 15, 1928, August 26, 1937,
12 and August 18, 1941, are hereby modified substantially in
13 accordance with the recommendation of the Board of Engi-
14 neers for Rivers and Harbors dated February 7, 1944, with
15 such modifications thereof as in the discretion of the Secre-
16 tary of War and the Chief of Engineers may be advisable,
17 at an estimated cost of \$46,056,000; and in addition to
18 previous authorizations there is hereby authorized to be
19 appropriated the sum of \$15,000,000 for the prosecution of
20 the modified projects: *Provided*, That this modification of
21 the project shall not be construed to authorize the construc-
22 tion of a high dam at the Table Mountain site but shall
23 authorize only the low-level project to approximately the
24 elevation of four hundred feet above mean sea level, said low-
25 level dam to be built on a foundation sufficient for such dam

1 and not on a foundation for future construction of a higher
2 dam.

3 SAN JOAQUIN RIVER

4 The project for the Isabella Reservoir on the Kern
5 River for flood control and other purposes in the San Joaquin
6 Valley, California, is hereby authorized substantially in ac-
7 cordance with the recommendations of the Chief of Engi-
8 neers in his report dated January 26, 1944, contained in
9 House Document Numbered 513, Seventy-eighth Congress,
10 second session, at an estimated cost of \$6,800,000.

11 The plan for the Terminus and Success Reservoirs on
12 the Kaweah and Tule Rivers for flood control and other
13 purposes in the San Joaquin Valley, California, in accord-
14 ance with the recommendations of the Chief of Engineers in
15 Flood Control Committee Document Numbered 1, Seventy-
16 eighth Congress, second session, is approved, and there is
17 hereby authorized \$4,600,000 for initiation and partial
18 accomplishment of the plan.

19 The project for flood control and other purposes for the
20 Kings River and Tulare Lake Basin, California, is hereby
21 authorized substantially in accordance with the plans con-
22 tained in House Document Numbered 630, Seventy-sixth
23 Congress, third session, with such modifications thereof as in
24 the discretion of the Secretary of War and the Chief of En-
25 gineers may be advisable at an estimated cost of \$19,700,-

1 000: *Provided*, That the conditions of local cooperation
2 specified in said document shall not apply: *Provided further*,
3 That the Secretary of War shall make arrangements for pay-
4 ment to the United States by the State or other responsible
5 agency, either in lump sum or annual installments, for con-
6 servation storage when used: *Provided further*, That the
7 division of costs between flood control, and irrigation and
8 other water uses shall be determined by the Secretary of War
9 on the basis of continuing studies by the Bureau of Reclama-
10 tion, the War Department, and the local organizations.

11 The plan of improvement for local flood protection on
12 various streams in the Merced County Stream Group in the
13 San Joaquin Valley is hereby authorized substantially in ac-
14 cordance with the recommendations of the Chief of Engineers
15 in House Document Numbered 473, Seventy-eighth Con-
16 gress, second session, at an estimated cost of \$1,300,000.

17 The plan of improvement for flood control and other pur-
18 poses on the Lower San Joaquin River and tributaries, in-
19 cluding Tuolumne and Stanislaus Rivers, in accordance with
20 the recommendations of the Chief of Engineers in Flood Con-
21 trol Committee Document Numbered 2, Seventy-eighth Con-
22 gress, second session, is approved, and there is hereby au-
23 thorized \$8,000,000 for initiation and partial accomplish-
24 ment of the plan.

COQUILLE RIVER BASIN

The project for flood protection on the Coquille River, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 620, Seventy-seventh Congress, second session, at an estimated cost of \$143,000.

NEHALEM RIVER BASIN

The project for flood protection on the Nehalem River, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 621, Seventy-seventh Congress, second session, at an estimated cost of \$23,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$20,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Willamette River Basin, with such modifications thereof as in the discretion of the Chief of Engineers may be advisable.

COLUMBIA RIVER BASIN

The projects on the Snake River for local flood protection at Heise, Roberts, and Weiser, Idaho, are hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 452,

1 Seventy-seventh Congress, first session, at an estimated cost
2 of \$743,000.

3 The projects on the Palouse River and tributaries for
4 local flood protection at Pullman and Colfax, Washington,
5 are hereby authorized substantially in accordance with the
6 recommendations of the Chief of Engineers in House Docu-
7 ment Numbered 888, Seventy-seventh Congress, second ses-
8 sion, at an estimated cost of \$478,000.

9 The project on Alkali Canyon for local flood protection
10 at Arlington, Oregon, is hereby authorized substantially in
11 accordance with the recommendations of the Chief of Engi-
12 neers in House Document Numbered 631, Seventy-seventh
13 Congress, second session, at an estimated cost of \$118,000.

14 WILLAPA RIVER BASIN

15 The project on the Willapa River for local flood pro-
16 tection at Raymond, Washington, is hereby authorized sub-
17 stantially in accordance with the recommendations of the
18 Chief of Engineers in House Document Numbered 701,
19 Seventy-seventh Congress, second session, at an estimated
20 cost of \$127,000.

21 SEC. 8. The Secretary of War is hereby authorized and
22 directed to cause preliminary examinations and surveys for
23 flood control and allied purposes, including channel and major
24 drainage improvements, to be made under the direction of
25 the Chief of Engineers, in drainage areas of the United States

1 and its Territorial possessions, which include the following-
2 named localities, and the Secretary of Agriculture is author-
3 ized and directed to cause preliminary examinations and
4 surveys for run-off and waterflow retardation and soil-erosion
5 prevention on such drainage areas; the cost thereof to be
6 paid from appropriations heretofore or hereafter made for
7 such purposes: *Provided*, That after the regular or formal
8 reports made on any examination, survey, project, or work
9 under way or proposed are submitted to Congress, no supple-
10 mental or additional report or estimate shall be made unless
11 authorized by law except that the Secretary of War may
12 cause a review of any examination or survey to be made
13 and a report thereon submitted to the Congress if such review
14 is required by the national defense or by changed physical
15 or economic conditions: *And provided further*, That the Gov-
16 ernment shall not be deemed to have entered upon any
17 project for the improvement of any waterway or harbor
18 mentioned in this Act until the project for the proposed work
19 shall have been adopted by law: .

20 Chipola River, Alabama and Florida.

21 Wacasassa River and its tributaries, Florida, and of
22 adjacent areas in Gilchrest and Levy Counties, Florida.

23 Oklawaha River and its tributaries, Florida, and of
24 adjacent areas in Alachua and Marion Counties, Florida,
25 Hocking River in Hocking County, Ohio.

- 1 Choctawhatchee River, Florida.
- 2 Scajaquada Creek and its tributaries, New York.
- 3 Susquehanna River in the vicinity of Endicott, John-
- 4 son City, and Vestal, New York.
- 5 Buffalo River, Minnesota.
- 6 Wild Rice River, Minnesota.
- 7 Marsh River, Minnesota.
- 8 Sand Hill River, Minnesota.
- 9 Red Lake River, Minnesota.
- 10 Roseau River, Minnesota.
- 11 Snake River, Minnesota.
- 12 Middle River, Minnesota.
- 13 Tamarac River, Minnesota.
- 14 Two Rivers, Minnesota.
- 15 Warroad River and Bull Dog Creek, Minnesota.
- 16 Mississippi River and its tributaries, in the County of
- 17 Aitkin, Minnesota.
- 18 Apple River, Joe Daviess County, Illinois.
- 19 Maumee River, Indiana and Ohio.
- 20 Indian Creek, Indiana.
- 21 Osage River, Missouri and Kansas.
- 22 Deep Red Run in Tillman County, Oklahoma; Big Elk
- 23 Creek, Little Elk Creek, Salt Fork, Elm Creek, Saddle
- 24 Mountain, Turkey Creek, Oklahoma.
- 25 San Rafael Creek and its tributaries, California.

1 Grand River, South Dakota.

2 Moreau River, South Dakota.

3 Bayamon and Hondo Rivers and their tributaries,
4 Municipality of Bayamon, Puerto Rico.

5 SEC. 9. That the sum of \$810,000,000 is hereby author-
6 ized to be appropriated for carrying out the improvements
7 herein, the sum of \$10,000,000 additional is authorized to be
8 appropriated and expended in equal amounts by the Depart-
9 ments of War and Agriculture for carrying out any examina-
10 tion or survey provided for in this Act and any other Acts
11 of Congress, to be prosecuted by said Departments. The
12 sum of \$1,500,000 additional is authorized to be appropriated
13 and expended by the Federal Power Commission for carry-
14 ing out any examinations and surveys provided for in this
15 Act or any other Acts of Congress, to be prosecuted by the
16 said Federal Power Commission.

17 SEC. 10. That the following works of improvement for
18 run-off and waterflow retardation, and soil-erosion preven-
19 tion, are hereby adopted and authorized in the interest of the
20 national security and with a view toward an adequate reser-
21 voir of useful and worthy public works for the post-war con-
22 struction program to be prosecuted by the Department of
23 Agriculture, under the direction of the Secretary of Agricul-
24 ture, in accordance with the plans of the respective reports
25 hereinafter designated and subject to the conditions set forth

1 therein: *Provided*, That the necessary plans and preliminary
2 work may be prosecuted during the war with funds from
3 appropriations heretofore or hereafter made for such works
4 so as to be ready for rapid inauguration of post-war con-
5 struction: *Provided further*, That when the existing critical
6 situation with respect to materials, equipment, and manpower,
7 no longer exists and in any event not later than immediately
8 following the cessation of hostilities in the present war, the
9 projects herein shall be initiated as expeditiously and prose-
10 cuted as vigorously as may be consistent with budgetary
11 requirements.

12 LOS ANGELES RIVER BASIN

13 The program on the Los Angeles River watershed is
14 hereby approved substantially in accordance with the recom-
15 mendation of the Under Secretary of Agriculture in House
16 Document Numbered 426, Seventy-seventh Congress, first
17 session, at an estimated cost to the United States of
18 \$8,380,000.

19 TRINITY RIVER BASIN (TEXAS)

20 The program on the Trinity River watershed is hereby
21 approved substantially in accordance with the recommenda-
22 tion of the Secretary of Agriculture in House Document
23 Numbered 708, Seventy-seventh Congress, second session, at
24 an estimated cost to the United States of \$32,000,000.

1 LITTLE TALLAHATCHIE RIVER WATERSHED

2 The program on the Little Tallahatchie River water-
3 shed is hereby approved substantially in accordance with the
4 recommendation of the Acting Secretary of Agriculture in
5 House Document Numbered 892, Seventy-seventh Congress,
6 second session, at an estimated cost to the United States of
7 \$4,221,000.

8 COOSA RIVER WATERSHED (ABOVE ROME, GEORGIA)

9 The program on the Coosa River watershed above
10 Rome, Georgia, is hereby approved substantially in accord-
11 ance with the recommendation of the Acting Secretary of
12 Agriculture in House Document Numbered 236, Seventy-
13 eighth Congress, first session, at an estimated cost to the
14 United States of \$1,233,000.

15 LITTLE SIOUX RIVER WATERSHED

16 The program on the Little Sioux River watershed is
17 hereby approved substantially in accordance with the recom-
18 mendation of the Assistant Secretary of Agriculture in
19 House Document Numbered 268, Seventy-eighth Congress,
20 first session, at an estimated cost to the United States of
21 \$4,280,000.

22 POTOMAC RIVER WATERSHED

23 The program on the Potomac River watershed is
24 hereby approved substantially in accordance with the recom-
25 mendation of the Assistant Secretary of Agriculture in House

1 Document Numbered 269, Seventy-eighth Congress, first
2 session, at an estimated cost to the United States of \$859,000.

3 COLORADO RIVER WATERSHED (TEXAS)

4 The program on those portions of the Colorado River
5 watershed included in the watersheds of Pecan Bayou, San
6 Saba River, Brady Creek, and the area tributary to the main
7 stream of the Colorado River below its confluence with the
8 Concho River and above the mouth of Pecan Bayou, is
9 hereby approved substantially in accordance with the recom-
10 mendation of the Assistant Secretary of Agriculture in House
11 Document Numbered 270, Seventy-eighth Congress, first
12 session, at an estimated cost to the United States of
13 \$2,693,000.

14 WASHITA RIVER WATERSHED

15 The program on the Washita River watershed is hereby
16 approved substantially in accordance with the recommenda-
17 tion of the Under Secretary of Agriculture in House Docu-
18 ment Numbered 275, Seventy-eighth Congress, first session,
19 at an estimated cost to the United States of \$11,243,000.

20 SEC. 11. That the balance remaining from the authoriza-
21 tion of \$10,000,000 provided in section 7 of the Flood Con-
22 trol Act approved June 28, 1938, for the five-year period
23 ending June 30, 1944, to correlate the program for the im-
24 provement of watersheds by the Department of Agriculture

1 for measures of run-off and waterflow retardation and soil-
2 erosion prevention on the watersheds with the program for
3 the improvement of rivers and other waterways by the De-
4 partment of War is hereby reauthorized to be expended dur-
5 ing the post-war period by the Department of Agriculture
6 for the prosecution of the work authorized in section 10 of this
7 Act: *Provided*, That not more than 20 per centum of the
8 authorization made available herein shall be expended on any
9 one project.

10 SEC. 12. That section 7 of the Act of June 28, 1938
11 (Public, Numbered 761, Seventy-fifth Congress), is hereby
12 amended by adding at the end of the first sentence thereof
13 the following: "The Secretary of Agriculture is hereby
14 authorized in his discretion to undertake such emergency
15 measures for run-off retardation and soil-erosion prevention
16 as may be needed to safeguard lives and property from floods
17 and the products of erosion on any watershed whenever fire
18 or any other natural element or force has caused a sudden
19 impairment of that watershed: *Provided*, That not to exceed
20 \$100,000 out of any funds heretofore or hereafter appro-
21 priated for the prosecution by the Secretary of Agriculture of
22 works of improvement or measures for run-off and water-
23 flow retardation and soil-erosion prevention on watersheds

- 1 may be expended during any one fiscal year for such emer-
- 2 gency measures."

Passed the House of Representatives May 9, 1944.

Attest:

SOUTH TRIMBLE,

Clerk.

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

MAY 10 (legislative day, MAY 9), 1944

Read twice and referred to the Committee on Commerce

Executive orders mainly originate in the bureaus and are expressions of bureaucratic minds. They often embody the whims of bureau chiefs. They have the effect of laws. Thus we have an anomalous situation where the bureaus are enacting nearly as many laws as the Congress of the United States, the branch of government that was set up by the Constitution to write the laws of the land.

So numerous have the Executive orders become that some thinking people are beginning to wonder whether the residuum of government which we shall have left if the trend long continues will be a government by laws or a government by Executive order. The fact is that we have been moving ahead with galloping speed toward the creation of a bureaucracy which has about as much resemblance to our original form of government as night has to day.

Many of our people are talking these days about the baneful effects of bureaucracy but talk without acts accomplishes nothing. The resolution I have introduced proposes to do something about it.

There is no politics, whatever, in my resolution and I know of no reason why it should not have the support of every Democratic and every Republican Member of Congress.

The impact of war alone has caused many transformations and maladjustments of government. To correct these maladjustments is the duty of Democrats and Republicans alike. The people look to Congress to hold the Government within the bounds of the Constitution. I think it would be particularly appropriate for the initial corrective step to be taken by the House of Representatives, the body that is traditionally closest to the people. If we adopt this resolution we will be acting in good faith to carry out our obligation to the people.

It proposes a means to start the demobilization of our overgrown bureaucracy and to restore more normal constitutional processes in this country. If we undertake this task in a spirit of mutual respect and understanding, free from politics and criticism, we shall certainly succeed and America will be the beneficiary.

It is high time that thought should be given to the dissolution of our overgrown and dominant bureaucracy and to departures from the Constitution which comprise a threat to the perpetuity of our free government as designed by the founding fathers. We as Americans need to make an introspection to determine whither we are going and to check trends which are threatening to change the form and mold of our Government. Under the directions contained in my resolution there will be three practical approaches to the problem of dissolving our bureaucracy: First, by abolishing agencies that were not needed in the first instance or that have served their purpose; second, by reducing overgrown and overstaffed bureaus to reasonable proportions; and third, by transferring the activities of independent bureaucratic agencies to regular departments where they can be held under better check and

control. By applying all three of these methods untold millions of dollars can be saved and the Washington bureaucracy can be reduced to a point where it will cease to be a national menace.

In selecting the House Committee on the Judiciary as the instrumentality to make this all-important investigation and study, pointing the way back to the Constitution, I feel that I have made a happy choice. The country will have the utmost confidence in an investigation conducted under the direction of Judge HATTON W. SUMNERS, chairman of the Judiciary Committee. He is flanked on his committee by able lawyers who are profound students of the Constitution. No man in Congress—nor indeed in the entire country—is better grounded in the fundamentals of our Government than Judge SUMNERS. His courageous statesmanship and his profound knowledge of the law have been demonstrated on many occasions. Above all, his rugged Americanism will be earnest assurance to the country that whatever conclusions his committee may reach will be in harmony with the genius and the spirit of our free American institutions.

Pea Coal

EXTENSION OF REMARKS

OF

HON. C. FREDERICK PRACHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. C. FREDERICK PRACHT. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following letter:

PHILADELPHIA, PA., February 10, 1944.

DEAR SIR: There are too many strikes. I have worked 63 years and have seen many strikes. Most of them could have been settled better if there had been a little justice on the one hand and a little more brains and calm judgment on the other.

In my opinion an honest and free press could give a great deal of help by giving all the facts. A half truth is no better than a lie and one quarter is worse. So here are a few facts. If you are in doubt, I will submit the bills for your inspection. In 1898 we paid \$3.50 per ton of 2,240 pounds and the coal was twice as large as it is today. I am referring to pea coal.

I hold no brief for John L. Lewis, but as Josh Billings used to say "facts is stubborn things." There has been a reduction of 10 percent in weight and an increase of 233 percent in price.

1898, \$3.50 a ton of 2,240 pounds.
September 1940, \$7.95 a ton of 2,000 pounds.
December 1940, \$8.25 a ton of 2,000 pounds.
1941, \$8.75 a ton of 2,000 pounds.
1941, \$9 a ton of 2,000 pounds.
1942, \$9 a ton of 2,000 pounds.
1942, \$9.50 a ton of 2,000 pounds.
1942, \$9.80 a ton of 2,000 pounds.
January, 1943, \$10.50 a ton of 2,000 pounds.
1943, \$11.20 a ton of 2,000 pounds.
February 1944, \$11.69 a ton of 2,000 pounds.
There has been an increase of \$8.19 per ton. Please let us know how much was the miners' share and who received the rest of the dough. Please print this so we can learn if the miners were justified in asking for a few crumbs from the rich man's table.

BERNARD E. BROGAN.

Reserved International Rights

EXTENSION OF REMARKS

OF

HON. WARREN R. AUSTIN

OF VERMONT

IN THE SENATE OF THE UNITED STATES

Wednesday, May 10 (legislative day of Tuesday, May 9), 1944

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD an article entitled "Reserved International Rights," by Philip Marshall Brown, reprinted from the American Journal of International Law, volume 38, No. 2, April 1944.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESERVED INTERNATIONAL RIGHTS

The basic rights of the independence and sovereignty of nations naturally imply corresponding obligations. These obligations are due not only from one nation to another but from all to each. Such rights do not depend solely on the power of any nation to protect itself. There exists a collective community interest that forbids either national self-help or intervention by one nation in the affairs of another.

This collective interest implies a supreme law which, in spite of the lack of effective sanctions, has its own justification and validity. It amounts virtually to a reserved right which no nation may exercise by itself alone.

No nation is free to do as it pleases either within or without its own borders. Violation of the rights of individuals or of states may vitally affect the interests of all nations. A kind of constitutional international law is gradually emerging that defines the rights and obligations of each and every nation. If a nation demands respect for its basic rights, it is obligated to respect certain reserved rights vested in the international community.

The main principle involved in the protection of the collective interests of nations may be formulated somewhat as follows: The international community reserves to itself the protection of rights essential to the safety and the welfare of all. The independence and sovereignty of nations is limited by, and is subordinate to, the general interest of the international community. This general international reserved right includes the following:

I. International security: The present war has become a war in defense of collective security. When it is successfully ended permanent guaranties must be established by the victorious nations, with the adherence of any other nations prepared to assume their international obligations. How this shall be achieved remains an unsolved problem calling for the highest kind of statesmanship.

II. The collective welfare of nations: This includes such matters as public health, essential raw materials, the migration of individuals, namely the unemployed, stateless persons, and criminals, standards of labor, and relief work. These and other cognate matters are gradually receiving recognition as of collective interest and concern. The Atlantic Charter is evidence of this fact.

III. Freedom of the seas: The slave trade and piracy have already been recognized as subject to international action. The use of strategic bases, straits, canals, and other inland waterways will become of increasing importance to the whole international community.

IV. Freedom of the air: There is general recognition of the fact that international

aviation, when peace is established, must not be left to the arbitrary control of separate nations. It has become in a spectacular way a collective interest which concerns international security as well as the peaceful intercourse of peoples.

This general principle of reserved international rights finds especial significance when applied to the so-called right of self-determination of peoples. The slogan, which finds too easy acceptance, that no people are fit to govern another people, when critically analyzed, is seen to be superficial, false, and even dangerous in its implications. It has been unjustly used to disparage the achievements of such colonial nations as Great Britain, the Netherlands, and France, not forgetting that the United States also has its colonial responsibilities. The term "imperialism" has come to have a loose and unfair connotation of ruthless exploitation and tyranny that is unwarranted by the facts. Whatever the abuses of imperialism may have been in remote times, it may fairly be claimed that colonial administrations, with rare exceptions, have rendered immeasurable service to the subject peoples and to civilization in general. The proud assertion that the British Empire has been the greatest school for self-government ever created is well founded. Witness the experiences of the American Colonies, and the British dominions, not excluding India, whose vaunted national self-consciousness has emerged under British tutelage.

The sweeping assumption that all peoples are fit to govern themselves and to control their territories and resources in an exclusive manner is based on an inadequate understanding of the great problem of colonial administration. To imply that the more advanced and privileged peoples have no obligations toward the backward peoples of Africa, the Pacific Islands, Malaya, and India is as unrealistic as it is cynical.

The principle of a general reserved international right has special significance with respect to strategic territories and resources. The possession of such lands and raw materials is now being recognized as a collective trust, not only for the peoples immediately concerned but for the entire world community. The exploitation of dependencies, without due regard for the needs and interests of other nations, is rightly to be condemned. There exists the superior claim of international welfare and security. The doctrine of international trusteeship, whether of colonies, mandates, or of national domains, is gradually becoming recognized.

Any strategic base for trade, aviation, military, or naval use is to be held subject to the needs of the whole family of nations. No selfish, exclusive claims may be permitted to endanger the rightful interests of other nations. The Republic of Colombia never had the sole right to control the natural international highway across the Isthmus of Panama. Nor had the United States the right to claim that the Panama Canal should be for its own exclusive use. The Hay-Paundefort Treaty of 1901 was an eloquent tribute to this reserved international right. So likewise the Suez Canal belongs neither to Egypt nor to Great Britain; it is an international highway.

Hawaii, Hong Kong, Singapore, Gibraltar, and other strategic bases, are all outposts for the service and the defense of all peoples. Australia and New Zealand have discovered in the course of the present war that their own security is directly involved in the fate of India. Such bases will have immense significance in plans for post-war organization and security.

The doctrine of reserved international rights need not imply the violation of any of the basic rights of nations. On the contrary, as in the case of the American Constitution, it should prove to be the supreme guarantee of all liberties, whether national or

individual. While various races are emerging from barbarism and feudalism, the community of nations must exercise a collective responsibility for the welfare and safety of all. In some instances this responsibility may have to be assumed by certain of the older nations, such as Great Britain, the Netherlands, France, Belgium, Portugal, and the United States, acting in behalf of the community of nations for the good of all.

The clear recognition of the principle of reserved international rights should help greatly to clarify the thinking of critics of colonial administration. Failure to do so can only lead to confused counsels and unwise decisions. It is a principle deserving much more serious consideration than it has heretofore received. The publicists would do well to lay less stress on the basic rights of nations and to emphasize the reserved international rights.

PHILIP MARSHALL BROWN.

Flood Control on the Tennessee River

SPEECH

OF

HON. JOHN J. SPARKMAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. SPARKMAN. Mr. Speaker, a few minutes ago I listened with much interest to the very able address made by the gentleman from Arkansas, with reference to flood control on the Tennessee River and some comparison as to the result a similar program might accomplish on the Arkansas, Missouri, and other rivers of this country. The Tennessee River is the most nearly completely controlled river in all the world and the work that has been accomplished there in the way of flood control is a very fine example of what can be done when a river is controlled by a unified program.

Recently some very good editorials and newspaper articles have appeared with reference to flood control, pointing particularly to the great difficulty that has been experienced recently along the Missouri, the Arkansas, and other rivers in the Midwest. At this point I include some of these editorials for the information of the membership:

[From the Alabama Journal]

Every time the Missouri River has another flood Missouri points to the Tennessee River and wonder why Missouri cannot be protected in similar manner. Under the unified development of the Tennessee River the waters are under such complete control by expert handling of the lakes and dams that the old-time floods are no longer possible.

[From the Washington Post of May 10, 1944]

PILOT OPERATION

In establishing the Tennessee Valley Authority, Congress directed that the resources of that valley were to be developed not separately, as in the past, but in a unified way. This is the distinguishing feature of T. V. A., the feature which has made it unique as an experiment in regional planning and development. T. V. A. Chairman David Lillenthal expressed his understanding of the congressional directive in a speech delivered the other day to the American Society of Planning officials:

"The river was to be seen as a comprehensive whole, not as a series of unrelated sites for dams. And each dam was to be seen as a whole, as a unity, and made to yield all of its potential value—not to yield only a navigation channel behind its concrete barrier or to yield flood control alone, as a separate asset, or power or recreation. We were so to design the dams that all those assets—navigation, flood control, and power—were to be made available to the people from each dam. And all the series of structures were to be dealt with as interdependent, interrelated—in short, a unity. * * * The river, under the T. V. A. plan of comprehensive development, was not to be seen separately from the land, as in the past. In nature the land and the streams are a unity. The way land is farmed determines the flow of waters both on the land and in the rivers. The same unity that exists in nature was to be observed as basic in the T. V. A. plan of development."

A demand for this sort of development has arisen in the valley of the Missouri River, too often in the past devastated by floods and contributing to the periodic rampages of the Mississippi. It is unlikely to be achieved through the flood-control bill recently introduced by Senator BENNETT CLARK. This, like tremendous past investments in flood control, such as the Fort Peck Dam completed under P. W. A. auspices in 1940, would ignore the unity between land and stream, would fail to integrate the region's resources and potentialities. Farmers along the Missouri River now complain indignantly that the Army engineers in charge of the Fort Peck project, the largest earth-fill dam in the world, so concentrated upon flood control and navigation that they ignored the importance of the river for irrigation purposes. The farm lands of the area may be deprived of water forever because of unbalanced development.

It is high time that a long-term Federal plan for regional development, predicated upon national needs and the relative urgency of regional problems, be established. This is a fundamental sort of post-war planning. T. V. A. has furnished a pilot operation which should be a goad to the Government in remedying the problem which has arisen on the Missouri which, evidently, cannot be solved piecemeal.

[From the St. Louis Post-Dispatch of May 5, 1944]

HOW T. V. A. TAMES THE FLOODS

"The Tennessee Valley, too, had its almost annual inundations; now huge reservoirs on the main stream and its tributaries hold back or release water as precisely as a spigot; the winter torrent of 1942 is described to show how the first complete river-control system works." (From T. V. A.—Democracy on the March, by David E. Lillenthal, Chairman of the Board of T. V. A.; Harper & Bros., New York, publisher.)

Before the men of the Tennessee Valley built these dams, flooding was a yearly threat to every farm and industry, every town and village and railroad on the river's banks, a barrier to progress. Today, there is security from that annual danger in the Tennessee Valley.

With the erection of local protective works at a few points, this region will be completely safe, even against a flood bigger than anything in recorded history. A measure of protection resulting from the Tennessee's control extends even beyond this valley; for no longer will the Tennessee send her torrents at flood crest to add what might be fatal inches to top the levees and spread desolation on the lower Ohio and the Mississippi.

In others of the earth's thousand valleys, people live under the shadow of fear that each year their river will bring upon them damage to their property, suffering and death. Here the people are safe.

DESIGN FOR WATER CONTROL

In the winter of 1942, torrents came raging down this valley's two chief tributaries, in Tennessee and Virginia. Before the river was controlled, this would have meant a severe flood; the machinery of vital war industries down the river at Chattanooga would have stopped, under several feet of water, with more than a million dollars of direct damage resulting.

But in 1942 it was different. Orders went out from the T. V. A. office of central control to every tributary dam. The message came flashing to the operator in the control room at Hiwassee Dam, deep in the mountains of North Carolina: "Hold back all the water of the Hiwassee River. Keep it out of the Tennessee."

The operator pressed a button. Steel gates closed. The water of that tributary was held.

To the Cherokee Dam on the Holston went the message: "Keep back the flow of the Holston." To Chickamauga Dam, just above the industrial danger spot at Chattanooga: "Release water to make room for the waters from above."

Day by day till the crisis was over, the men at their control instruments at each dam in the system received their orders. The rate of water release from every tributary river was precisely controlled. The Tennessee was kept in hand. There was no destruction, no panic, no interruption of work. Most of the water, instead of wrecking the valley, actually produced a benefit in power, when later it was released through the turbines.

Back of the orders from the water dispatcher to the men who operate the dams is an elaborate system of reporting rainfall and gaging the flow of streams so the height of waters can be predicted for days in advance.

To the head of the T. V. A. forecasting division, from all over the watershed, from every tributary stream, from 300 stations, by teletype, telephone, and short-wave radio come reports of the river's stages, that is, its height.

Reports come in from hundreds of remote rain-gage stations, telephoned in by a farmer's wife, a crossroads merchant, a woodsman. From well-nigh inaccessible mountain streams ingenious T. V. A.-made devices send in their reports by short-wave radio without human intervention.

All the reports are combined and interpreted by engineers, so that they know almost exactly how much water will be swelling the river the next day and the next.

THE RIVER'S GREATEST YIELD

Yesterday's reports are checked with today's and revised tomorrow, and the best technical judgment is sent to the river control room; just how much water is being added to the river's flow in the French Broad, the Holston, the Clinch, the Hiwassee.

The operating orders go out, turning water off or on to meet the demands of the crisis along a watercourse from the headwaters of the Tennessee to the Gulf, almost as long as the Mississippi from its headwaters to New Orleans. The Tennessee River throughout its length is controlled, as water is retained at one dam, released at another. This valley has been made safe.

This is not true of other river valleys. No major river in the world is so fully controlled as the Tennessee, no other river works so hard for the people, for the force that used to spend itself so violently is today turning giant water wheels. The turbines and generators in the T. V. A. powerhouses have transformed it into electric energy. And this is the river's greatest yield.

The Rural Church and the Farm Family

EXTENSION OF REMARKS

OF

HON. CLARENCE CANNON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. CANNON of Missouri. Mr. Speaker, under leave granted to extend remarks, I include an address by Mrs. Paul Palmer, of Ethlyn, Mo., national secretary of the Associated Women of the American Farm Bureau Federation, delivered at the rural-urban conference dinner at the Statler Hotel here in Washington last evening.

Mrs. Palmer is one of the outstanding women in farm-organization work in the Nation today, and, with her husband and children, operates one of the most successful farms in my section of Missouri. She comes in daily and intimate contact with most of the problems of rural life and is in position to speak with the authority of personal knowledge on the social, economic, and religious phases of American agriculture. Her address on the rural church is particularly pertinent at this time:

The rural church is as old as America itself. As soon as our pilgrim fathers had provided shelter for their families, they set themselves to the task of constructing a place to worship. They were building for themselves a new world. The kind of a world they wanted to live in was one in which the individual had the right of religious liberty and freedom of thought.

As civilization pushed westward, the pioneer fathers followed the example which had been set for them, and they, too, established their churches. The church was as vital to the souls of those men and women as the spring of living water about which their homes were grouped was to their physical being. These, our first rural churches, were crude in construction but rich in power and influence.

A good friend of mine once gave me this valuable bit of advice. Said she, "When addressing the public, choose a subject that you know something about." So this afternoon I want to tell you folks about a rural church which I know so well. It is the little church in my home community, where I have attended services all of my life. One of my earliest memories was that of my mother and her barefoot brood of children walking to church Sunday morning. We always stopped in the grove adjacent to the church and there put on our ill-fitting, squeaky shoes before going into the services.

We children were not impressed with the fact that it was a hardship to walk that mile and a half to church. Neither were we made conscious of our queer looking clothes. The lesson we did learn was that it was not only our duty but a privilege to attend church on the Sabbath—that all good people go to church Sunday. A lesson I have never forgotten.

Today my little granddaughter who goes with me each Sunday is the sixth generation of my family to worship in this same church. The building is still standing and still in use which my great grandfather and his neighbors built so long ago. These men went into the forest, cleared the trees for the site, and with their own hands shaped those timbers into a church building. Each gave

of his time and his talents. They built well.

These families so few in number forgot denominational differences. All of them worshipped together in harmony and unity. The name they inscribed up in the gable of the building bears testimony of that truth. The name "Union Church," the date "1861." That inscription has been carefully preserved.

They did not neglect to provide for the spiritual needs of the black man who came to church with his master. On one side of the building there was a door opening into a stairway which led to what was then known as the gallery. Here the black man and his family sat and enjoyed the same services with his master's family who sat in the pews below. Theoretically he enjoyed the same status as the white member. In studying the early records of the church, we find that on a certain Sabbath morning, Mandy, the black woman belonging to Squire Allen, came forward and gave her heart to her Master and asked for church membership.

Instead of enduring the hardships of traveling long, cold, weary miles on foot or horseback, or in the big farm wagon to attend church, these pioneer fathers of ours could have remained quietly at home reading their Bible and truly worshiping God. They, too, in their youth had been taught the admonition of the Master when he said, "Neglect not the assembling of yourselves together for worship." Farm families, just now, perhaps, might feel perfectly justified in absenting themselves from church attendance when every precious gallon of gas must be conserved. Too, they can turn on their radios and in the comfort of their farm home, listen to the wonderful messages delivered by the most learned preachers and orators of our day. Should they remain at home they would not gain the strength which comes from having a part in the worship services. They would depart from their early training which taught them to thank God for a free church where they could worship in their own way, where they could listen to the honest thoughts of good men, even if those thoughts were not expressed so fluently. There is danger just now that the feeling of security which the American people have will lessen their spiritual endeavor.

This rural church which I have tried to picture for you is an unpretentious building. It has no spire reaching high into the heavens; neither does the sunlight filter through stained glass windows. It is just a low, white, frame building which has meant so much to the spiritual life of six generations who have lived under the shadow of its influence, a place dear to the hearts of the laymen and clergy of those generations; a spot to which they return to renew friendships or to partake of the old-fashioned basket dinners spread in the shade of the trees. They return to the old church when they are in the slough of despondency; when doubts creep into their thinking; and when their spiritual life is at a low ebb, in order that they might regain the religious steadfastness of their youth.

Probably one of the reasons for the long life of this church has been the fact that the younger generations have been given places of responsibility in the church and an opportunity to express their thoughts. New life must be injected into an organization if it is to survive and grow. I would appeal to you, the farm leaders of America, to maintain and strengthen your rural churches. If they have been abandoned, revive them. Now, as never before, our faith in Christian religion and the rural church should be strengthened. If we are to have a Christian democracy, we must have courageous Chris-

tion leadership. In the post-war era, religion must furnish the leadership for social improvement. There is no better place to train those leaders than back in our own rural communities.

In this period of transition the things we once did and the way we did them will pass away. We have every reason to believe that the church too will progress with the times. When it does let us hold fast to those basic fundamental principles of religion which characterized the faith of our fathers—the foundation of the rural church.

Our boys over across say, "We want to come back to find things as we left them." These boys are living in a world which has lost all sense of balance, yet they still cherish their ideals and beliefs. It gives them a feeling of stability to know that back home on the farm, just as always, mother, dad, and the children, hustle a bit faster with the chores Sunday morning so that they might be in their accustomed places in the little community church. I think that probably the things that they are fighting for have more meaning if they know that their places in the church will be waiting for them when they return.

Farm families of this great Nation of ours who can forget tenets, creeds, and isms, and sincerely worship together in spirit and in truth, will create an influence which will radiate to the four corners of the earth. That influence will be a potent factor in helping to make this world safe for differences. That is the kind of a world you and I want to live in.

Business Approach to Government

EXTENSION OF REMARKS

OF

HON. JAMES M. TUNNELL

OF DELAWARE

IN THE SENATE OF THE UNITED STATES

Wednesday, May 10 (legislative day of

Tuesday, May 9), 1944

Mr. TUNNELL. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD excerpts from an address delivered at Yale University by Chester Bowles, Price Administrator, which were printed in the Washington Post of May 9, 1944. The excerpts from the address were printed as a public service by the International Latex Corporation, of my State.

There being no objection, the excerpts from the address were ordered to be printed in the RECORD, as follows:

BUSINESS APPROACH TO GOVERNMENT
(Address by Chester Bowles, Price Administrator)

In spite of the many false starts and the many mistakes, in spite of waste and inefficiency, our Government has performed the essential tasks required of it in war and performed them brilliantly. What is more, it has carried out these tasks within the framework of the democratic process. Never before in our history has the democratic process worked with greater vigor and vitality than it does today.

We can be proud not only of what we have done but of how we have done it. We have given the world a demonstration both of our national strength and the vigor of our system of government. And yet there are few of us who do not look forward to the day when the war will be over and the role of government will shrink greatly from its present dimensions.

I fully share the view that the role of government must be greatly reduced after the war. I yield to no man in my attachment to the free-enterprise system. I am persuaded that no other system could serve us as well. But I am profoundly concerned, lest in our eagerness to shed ourselves of wartime government and give free rein to initiative and enterprise after the war, we conceive the role of government too narrowly. For if we are not prepared to accept enough government, we invariably end up with too much. It may be paradoxical, but it is true.

EITHER ENOUGH OR TOO MUCH

Our experience in the thirties yields a significant lesson. Because we did not promptly require Government to assume responsibility for stemming the growing depression in 1930, the complete collapse in 1932 left us with no alternative but for the Government to move in to put our economy back on the road to recovery. The lesson of that experience is plain and it is one that we must not forget as we look forward to the post-war period. By now we should know that it is a whole lot easier to keep a truck on the road than to haul it out of a ditch.

If we want to avoid too much government after the war, we must recognize in advance the proper functions of government and we must agree on the policies and on the appropriate organization to discharge those functions efficiently and democratically. If we don't act wisely it may spell our finish as a democratic nation. For if, after the war, we permit another great depression to overwhelm us, we shall be forced to resort to such a bagful of Government cures that we may entirely lose our character of a free economy and a free people.

I gravely doubt whether the seriousness of the decisions that we must make is as widely understood as it must be. Although fear of post-war collapse is widespread, there is far too easy an assumption on the part of many that we have only to strip off the controls after the war and we'll go right back to peacetime operations without a hitch. There are two things wrong with that view: It won't be easy and we can't go back.

WE CAN'T GO BACK

It is no easy matter to pull seventy-five billions of Government spending out of our markets without precipitating a collapse of prices, incomes, and production. And having learned how amazingly productive our economy can be, having learned that it lies within our power to create a level of prosperity double anything we have known before, we won't be content to go back to the artificial scarcities, the unemployment, the poverty in the midst of plenty that we knew in the thirties.

There are many who will go along with the view that in the years immediately following the war only government can unwind the economy without a break-down and that government must accept this responsibility. What people are principally wondering about is what the role of government will be when reconversion is over.

To me the answer is plain. The function of government in a modern, highly industrialized economy such as ours must be at all times to sustain the level of the national income, to insure that markets are available for everything we can produce, and that jobs are thus provided for all who seek them.

This function does not entail any encroachment upon freedom of enterprise, any infringement of our personal liberties. For I do not conceive this function of government as one of regulation or compulsion. I conceive it as one of encouragement and support. I see the government of the future discharging this function not through regulation and directive but through broad fiscal and financial measures. When for any reason the flow of private investment and con-

sumption expenditures diminishes, government can, by decreasing its taxes and increasing its expenditures, offset that decline. On the other hand, when the flow of private expenditures increases to a point which threatens inflation, through an increase of taxes and decrease of Government expenditures the economy can be kept on an even keel.

MARKETS FOR ALL

Our free-enterprise system has demonstrated itself to be the most dynamic and the most productive the world has ever known. But that demonstration has been only intermittent. In the past, for every year of boom our system has suffered a year of depression in which we lost much of the ground we had gained. As I conceive it, this central function of government will be to enable free enterprise to maintain, year in and year out, its amazing record of production, and to fulfill, year in and year out, its promise of increasing material and moral well-being.

No businessman will deny that the fear of unemployment has been a powerful deterrent to the full use of current income for the purchase of homes and cars and all the modern conveniences and luxuries that our system can produce in such abundance. No businessman will deny that the fear of periodic depression, of collapsing prices and markets, has been an even more powerful deterrent to expansion of investment. Given the assurance that markets and employment and incomes will be sustained, the damping down of consumption and investment will disappear. It may well turn out that there will be ample private demand for everything we can produce and Government will not be called upon for large operations to sustain the national income.

It is certain that the more effective the guarantees made by the Government and the more widely these guarantees are accepted, the less will be the positive action which the Government will be called upon to make, for the more effective the guaranty the greater will be the confidence in the economic outlook and the more certainly will potential demand for goods and services be translated into orders.

It has taken a Second World War to press home upon us what our responsibility in international affairs must be. I hope it will not take a second great depression to teach us what is the appropriate role of government in the economic sphere.

As a public service, we present excerpts from an address delivered at Yale University.

INTERNATIONAL LATEX CORPORATION,
Playtex Park, Dover, Del.

Slogan Gone Wrong

EXTENSION OF REMARKS

OF

HON. C. FREDERICK PRACHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. C. FREDERICK PRACHT. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an editorial on the subject Slogan Gone Wrong from the Philadelphia Inquirer of April 21, 1944:

SLOGAN GONE WRONG

The bill to exempt residents of other States from Philadelphia's wage tax has passed the National House.

Supporters of the bill in Washington may or may not believe the intended relief lies

philosophy that has made the United States what it is.

And to all Americans who believe themselves Christians, I say that anti-Semitism is not only un-American, it is antichristian.

It is impossible to understand how a man can hate or persecute the Jews and at the same time pretend to keep allegiance to the principles of Christianity. The very basis of the Christian faith is a belief in the essential equality and dignity of the individual man. According to the teachings of Christ, the first and greatest commandment is to love God above all things, and the second is like to the first: "Thou shalt love thy neighbor as thyself." Real Christianity begets love in the heart of man. It was Christ who first taught men the real meaning of brotherhood, whose gospel was love for every man, woman, and child. And Christianity further teaches that all human beings are neighbors—whatever their race, color, or beliefs. To love one neighbor and not another, to hate and persecute our Jewish neighbors, is un-Christian.

A great Christian leader, Pope Pius XI, once said of anti-Semitism: "It is a movement in which we Christians can have no part whatsoever. Anti-Semitism is unacceptable. Spiritually we are Semites." The true Christian may hate falsehood and sin, but he cannot hate his brother man. He dare not hate or contribute to the persecution of those whose racial background or beliefs differ from his.

But in a larger sense, the true Christian will do more than merely tolerate such persons. In their hour of trial he will rush to their defense, bind up their wounds, and aid them in their search for security and peace. He will not remain aloof in the face of injustice that runs counter to the fundamental tenets of his faith. For in his conscience the true Christian knows that to be silent under such circumstances is to join hands with the forces of evil and forget that Christians themselves were the subjects of discrimination and persecution not so long ago.

This is no remote or academic problem that we face, my fellow Americans. This enemy is already within our gates. The tide is rising. The passions, the prejudices, and the fears spawned by anti-Semitism are mounting constantly. The time to quell them is now.

The battle must be fought and won through appeals to reason and morality in the public forums, the press, the schools, the churches, and the homes. But first, it must be won in the heart and mind of each of us—face to face with his conscience.

I cannot believe that it is our destiny to hate one another. I am convinced that in the heart of every normal human being there is a great yearning for the brotherhood of man. That goal is not impossible if we will but conscientiously strive to be that which is within the reach of all—good neighbors and friends with all our fellow men. Let us then look to the future, not as members of a nation confined in a spiritual and intellectual strait jacket of racism, but as a free people imbued with a respect for the dignity of each individual. Each one of us can be a better Jew, a better Protestant, a better Catholic, or a better citizen, whatever his faith may be. Then we shall be on the right road and the promise of a great free nation will not then have been shattered. America will be, instead, a stronger nation morally and spiritually, a nation wisely prepared to defend itself and able to play its manly part in world affairs with an intelligent and robust sense of justice.

Gripped in this great world struggle, let us ask ourselves, "Why pour out this blood if not to emerge a richer nation, enriched in our own way of life?" Why all this agony, if not to bring forth an America unravished by the hates and lusts of the Old World, an America that is a just power as well as a great one.

Let us hope that it will be so. Let us work together to see that it shall be. And when the task is done, let us walk humbly among men, proud less of our power than of our respect for the rights of all mankind.

Authorizations for Reservoirs, Levees, and Flood Walls for Flood Control

SPEECH

OF

HON. LEO E. ALLEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1944

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. ALLEN of Illinois. Mr. Chairman, one cannot long sit in the House of Representatives without an appreciation that we are truly the greatest deliberative body in the democracy of the world. Here we meet on common ground to give expression to the needs and will of our people. To adequately fulfill our duties we at times individually come into conflict one with the other, because the problems of the people we represent so greatly differ. We have heard the gentleman from North Dakota [Mr. LEMKE] state today that the greatest problem confronting his people was lack of water. I come before you emphasizing the fact that the most vital problem immediately confronting the people of Galena, Ill., which is my residence, is too much water at not infrequent times.

Galena, Ill., has been the scene of devastating floods for over a century. During the past hundred years rushing and uncontrolled waters have rushed down upon its citizens over 15 times, bringing consternation, destruction, and death. Citizens have witnessed the business district in complete shambles. Business houses which were built for the generations have been compelled to close their doors forever. Manufacturing establishments which have given work to many, have had their stocks and machinery ruined, depriving employees of gainful employment for long periods of time. Galena, one of Illinois' oldest cities possessing many historic shrines including General Grant's home, mecca of hundreds of thousands of tourists from throughout the world was until today uncertain of its future. I say today, because the flood bill now before us carries an authorization of \$300,000 to remedy disastrous flood conditions in Galena. It is needless for me to say that I am gratified with this degree of consideration because it at least recognizes a situation upon which I have worked untiringly for over 10 years. Those of you who have flood problems in your district know the work involved in order to obtain the necessary legislation.

Sincerely I express appreciation of the aid and assistance given me by the var-

ious members of the Flood Committee and the Corps of Engineers. Only this morning the chairman of the committee permitted me to appear before his committee and the Chief of Engineers, regarding the amendment which I have just offered. During my many years in Congress I have refrained from offering many amendments. I have held in most instances that the various committees after extensive hearings are in a better position to judge the facts. However, in this particular case I sincerely believe that I am the better judge. I have lived in that locality practically my entire life. During all those years I have studied this problem which is so vital to the entire community. I know, as no one else here knows, the compelling needs. That is the reason for this amendment.

In keeping with an act of Congress, the Army engineers made a final survey of the Galena River for the purpose of submitting plans to remedy the situation. In 1940 the engineers reported several plans. They recommended plan A, which provides for the construction of a system of levees and flood walls with sewer drains and pumping plant, the removal of certain obstructive bridges, and the enlargement and improvement of the channel, the estimated cost to be \$418,000, of which the city of Galena should assume \$118,000. That is the plan embraced in this bill. To me it is definitely insufficient, and that is the reason that I have offered this amendment.

In addition to plan A the Army engineers also submitted plan B. This B plan is without question the more efficacious. It provides for retention reservoirs at a cost of \$2,623,500, of which the United States will pay \$2,502,300 and local interests \$121,200. I emphasize that this is the most satisfactory plan because, according to the engineers' report under plan A, and I quote from the report:

It will be noted that plan A does not protect the privately owned Westwick foundry on the point of land at the junction of Galena River and Hughlett Branch, or the plant of the Galena Manufacturing Co., on the east bank of the main stream, just below Madison Street; nor will it prevent the inundation during major floods of certain small residential areas along the east bank of the river and on the west bank below Spring Street.

To me a job half done is not done at all. It requires a great deal of time and expense for the engineers to become located. When they are located is it not sensible they complete the job? To provide protection for part of the community and leave the rest unguarded seems impractical to me, and, I am sure, to you. The two factories which are given no protection under plan A are of paramount importance to the workers and to the community. They are the two largest factories in Joe Daviess County. The livelihood of many depends upon the noninterruption of work in these plants. For years these factories have borne the brunt of many floods. Now that we have recognized the need for protection in the locality why not give to all the needed protection? Why leave with some the everlasting fear of destruction? I ask you to vote for my amendment.

Post-war Health—War Diseases Call for Plans Now for Preventive Program

EXTENSION OF REMARKS OF

HON. LYNDON B. JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1944

Mr. LYNDON B. JOHNSON. Mr. Speaker, good editorials from newspapermen will no doubt play a large part in our post-war planning. I am always thankful for suggestions we get from men who make a study of our civic needs. Most of our newspapermen have this thought foremost in mind when they sit down to write an editorial. Under leave to extend my remarks in the CONGRESSIONAL RECORD, I wish to include the following article which appeared in the Austin Statesman and was written by a friend of mine and a very able newspaperman of the Associated Press staff, Mr. Homer G. Olsen:

POST-WAR HEALTH—WAR DISEASES CALL FOR PLANS NOW FOR PREVENTIVE PROGRAM
(By Homer G. Olsen)

Certainly not the least important of the post-war plans will be a world-wide health program, global conflict having scattered peoples everywhere and pointed up the increasingly difficult problems that lie ahead.

Thus declared Dr. George W. Cox, State health officer, in an address, highlights of which was published by the Journal of the American Medical Association.

Dr. Cox said:

"North American troops in the war theaters may return home contaminated with various tropical and other parasites and disease-producing organisms which are at present not found in sections of North America. Tropical countries will be opened to migration after the war by northern peoples who are not immune to the endemic diseases. We should begin to plan to meet the new public-health programs as they may affect North America, and, at the same time, our humanitarian interests dictate that we contribute to a world-wide health program."

"Since this Nation will probably be confronted with a serious post-war health problem, it appears most highly desirable that we now plan a definite health program along environmental lines so fundamentally sound and attractive that it will be acceptable to individuals, communities, States, and the Nation as a whole," Cox asserted.

Recommending preparation of plans which can be utilized the moment manpower is available to put them into effect, he suggested the program should cover at least in part the following projects:

1. Local health centers with laboratory and equipment to house local health personnel so as to enable sanitation forces to function at maximum efficiency.
2. Plans for water supplies and treatment where needed.
3. Sewerage systems and treatments where needed.
4. Municipal or cooperative abattoirs.
5. Municipal or cooperative oyster-shucking and shellfish-packing establishments.
6. Municipal or cooperative canning or food processing plants.
7. Recruitment and training of more sanitation personnel to carry forward sanitary work not only at home but in the republics to the south and other countries.
8. Planning of drainage systems where such drainage will minimize the mosquito-borne disease problem.

9. Planning of a mutual aid program in rodent control.

10. Planning of a cooperative program of garbage disposal.

11. The planning for the elimination of slum areas and making available adequate housing for the population.

12. The planning of a program which will provide adequate lighting, heating, and ventilation facilities in public buildings but more especially in schools.

13. An advisory program that would be helpful to industries in the elimination of industrial hazards.

14. Promulgation of plans which will insure the farm population safe living conditions patterned somewhat after the Farm Security Administration program which provided aid in the correction of farm water supplies, waste disposal systems, screening, and the like.

15. Setting up short training schools for food handlers, water and sewage plant operators as well as swimming pool operators, operators of food processing plants, such as pasteurization plants, and hygienists for industrial plants.

16. The initiation of immediate steps toward securing an appropriation to the public health service of necessary funds to inaugurate and carry out a direct emergency program of community sanitation, as has already been done in the case of malaria control.

Authorizations for Reservoirs, Levees, and Flood Walls for Flood Control

SPEECH

OF

HON. LEO E. ALLEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1944

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. ALLEN of Illinois. Mr. Chairman, the need for the adoption of the amendment which I have now offered is most necessary and urgent. You have just rejected my other amendment which would have raised the authorization for flood relief for the Galena River from \$300,000 to \$2,623,500. This present amendment raises the authorization from \$300,000 to \$418,000. I say that the adoption of this amendment is of great importance because under plan A which now stands by reason of your rejection of plan B, the cost of construction is \$418,000, of which the United States is to pay \$300,000 and the local community \$118,000. According to the report of the engineers' investigation, it is disclosed that the city of Galena has a bonded indebtedness of \$93,700, which is only \$5,684.40 less than the legal maximum fixed by the Illinois Constitution of 1870. Therefore, it is obvious that even should plan A, which authorizes but a \$300,000 contribution by the Federal Government, become a law, no construction would result because the local community could not bond themselves for the additional \$118,000. The Army engineers report the great need of this flood construction; the Committee on Flood Control has reported favorably

upon it. I assure you personally it is greatly needed. Without the adoption of this amendment it could not be possible. I ask you to vote for this amendment.

Solution of Post-war Employment in America

EXTENSION OF REMARKS OF

HON. JOSEPH J. O'BRIEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. O'BRIEN of New York. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following article by Hon. James L. Whitley, former Member of Congress, of Rochester, N. Y.:

SOLUTION OF POST-WAR EMPLOYMENT IN AMERICA

The solution of the problem will require most careful consideration by our ablest minds. We cannot accept the challenge lying down. World War No. 1 taught us a lesson: In time of war prepare for peace. The consensus of opinion by our military leaders is that the war in Europe will end in 1944 with victory for the Allies, and that the war with Japan will end in the same manner at a later date. After the end of the conflict in Europe, thousands of plants throughout the country will taper down in the production of war implements and the millions of men and women engaged in defense work with millions of ex-service men will await the green-light signal to start the greatest industrial era in the history of our country. As war production declines we should immediately start the production of tools and machinery necessary for civilian production. A Government agency should be set up without delay to make a complete inventory and description of all machinery under Government control. This would permit industry to secure machines for civilian production without delay and save millions of lost manpower hours even before semireadjustment.

REGULATIONS

Steps should be taken at this time to remove every possible obstacle regulating free enterprise, complicated, unnecessary, bureaucratic blanks should no longer be required for every move we make. Business should be given a free hand, subject only to regulations to insure against monopoly, fraud, and unfair practices. Business loosened from red tape will emerge with speed, and millions of idle dollars will find way into many free enterprises.

TAXATION

Taxes will be an important factor in any plan after we emerge from war to peace. With a high debt obligation which may exceed \$300,000,000,000, we may expect to have the tax problem with us for some time to come. When the time arrives that taxes may be reduced such reduction should be for the encouragement of private enterprise and to stimulate consumption. There should be no double taxation. A stockholder in a corporation pays his proportion of the tax on the earnings of the company and an additional tax on the dividends received, while a bondholder in the same company is subject to a single tax on the amount received; to encourage investment this discrepancy should be corrected. Income-tax report blanks for the upward of 50,000,000 taxpayers should be simplified. The Gov-

quired to retain farm land owned for returning servicemen until July 1, 1945, or until after the regular legislative session has been able to adopt a more comprehensive land-for-veterans program.

Returns are still coming to the office of G. N. D. A., where they are tabulated like election returns, showing the status by townships and counties and the total for the State.

"Newspapers in each county have been given individual county returns to date," Groom says, "and when complete figures have been secured we will have a record which it is felt will be of special value to the regular session of the legislature which will meet next January to make plans to aid returning soldiers. It will aid various communities in post-war plans."

Groom reports great interest in the survey. Post-war planning organizations of several States have written for the questionnaire, and for the printed forms used in the tabulations. It appears the G. N. D. A. plan will form the framework for at least three other States seeking information as to the desires of the returning serviceman.

CANVASS FIGURE TOTALS

Below is a summary of the North Dakota survey:

1. Number of married men, 1,300.
2. Number of single men, 4,985.
3. Number on farms when called, 5,039.
4. Number farming on own account when called, 1,575.
5. Number wanting to farm when discharged, 5,523.
6. Number who prefer mixed farming, 4,874.
7. Number who prefer power farming, 609.
8. Number who prefer dairy farming, 40.
9. Number who own land, 676.
10. Number having no land, 4,847.
11. Number having some stock and equipment, 1,554.
12. Number having no stock or equipment, 3,969.
13. Number having plans made for farming when discharged, 945.
14. Number wanting to buy land, 3,393.
15. Number wanting to rent, 2,130.
16. Number wanting land with buildings, 4,604.
17. Resources: Cash, bonds, real estate—average per man, \$1,050.

Water for Human Needs Shall Come First

SPEECH
OF

HON. EVERETT M. DIRKSEN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 9, 1944

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, in this bill the Committee on Flood Control reports a project with reference to the Missouri River that is to cost \$200,000,000. That is a very substantial outlay and it ought to be examined with some caution. It will apply to a river that starts about 17 miles above St. Louis and runs a course across the country to the southwestern section of Montana for a dis-

tance of nearly 2,500 miles. It is really a monumental water course. It drains something more than half a million square miles of this country, and it is proposed in this bill to make provision for an over-all comprehensive project which will include channel straightening and improvements and reservoirs and other works to provide, first for navigation; second, for irrigation; third, for power; and fourth, for flood control. They do not run particularly in that order, but that is the over-all plan for which \$200,000,000 are to be expended.

Now come the folks from this area, where water is a priceless commodity, and say that before we take away all their water for navigation purposes to sustain a barge or a vessel that may haul commodities, we believe that preference should be given to beneficial consumptive uses.

What are those uses? First, domestic. That is fundamental; that involves drinking water; that involves water for livestock; that appeals to an instinct of self-preservation, and navigation must necessarily be subordinated to that.

Second, they want to have preference for municipal purposes. There is not a soul in this body who would deny a village or a town the necessary water in preference to navigation. That is all they ask for in this amendment. They want preference to be given to irrigation because that is vital to the sustenance of life out there. Without water there can be no vegetables, no produce of the soil, nothing with which to sustain life. It is just a matter of common sense, and you cannot argue with that kind of fundamental need.

They want preference for water for mining. Look at the first section of this bill, and what does it say? It sets up a reservoir of projects for the post-war period. For what purpose? Manifestly to make jobs. That is what it does. If a mine cannot get water preference for continued operation, you destroy jobs. Does that not make sense? They want preference also for industrial uses—meaning for their factories and their mining plants and similar purposes. That means jobs. This bill is dedicated, among other things, to making jobs in the post-war period. Would you destroy them now by not giving them a preference for this water? What difference does it make if you have a sufficient channel to float a battleship, if the produce of the soil and the contents of factories and the livelihood and self-preservation that are involved here are not first given preference?

There is ample precedent for it. Back in 1902, we began placing a very comprehensive reclamation act on the books. We have added to it every year. Read the language of those acts. What does the language say? The water users shall have preference. That is the essence of the reclamation law, and it has been regarded as good gospel for more than two generations. The law was drafted by experts who had some knowledge of the West and of its essential needs.

Before us is an amendment. What does it say? It says in effect that west of the ninety-seventh meridian, prefer-

ence shall be given to water for drinking purposes, for livestock, for irrigation, to keep factories going, as well as all those other things that generate commerce, and that navigation and commerce shall come last. Certainly that ought to appeal to every good instinct and to the common sense of Members of this House, and that is why I am for it. Recently I had first-hand opportunity to appreciate what water really means in that country. That is why I am for that amendment.

The Members of the House from those western spaces have expressed a sustained concern about this matter. You will remember the effort which was made some weeks ago to have similar language incorporated in the rivers and harbors bill. Their efforts are not dictated by selfishness or provincial interests. They know as no other person can know, from a lifetime of experience what water means and they seek assurance that the basic daily needs of their people will not be neglected and that navigation shall be subordinated to their essential needs. Is that asking too much?

The United States Housing Act and Its Operations

EXTENSION OF REMARKS
OF

HON. FREDERICK C. SMITH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 10, 1944

Mr. SMITH of Ohio. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a speech I delivered before the National Association of Home Builders of the United States, May 9, 1944, at the Statler Hotel, Washington, D. C.:

In 1939 I made a rather exhaustive analysis of the operations of the United States Housing Act. You will recall that the United States Housing Authority came to Congress at that time with a request for an authorization to issue additional obligations to the amount of \$800,000,000. The additional authorization requested would have brought the total authorizations up to \$1,600,000,000.

It asked for a change in the Housing Act providing for annual contributions aggregating not more than \$45,000,000 per annum in addition to the contracts theretofore authorized by the United States Housing Act.

Notwithstanding the fact that the United States Housing Authority did intensive lobbying in Congress to induce the acceptance of its request, it failed in that endeavor. Though its bill passed the Senate, it was defeated in the lower House by a decisive majority.

We might review a few of the more important points that were brought out in that analysis. The propaganda put out by Mr. Nathan Straus, Administrator of the United States Housing Authority, was that:

"Ours is a decentralized program in which the responsibility for carrying out housing programs rests not with the United States Housing Authority but with the communities themselves. * * * The United States Housing Authority program is entirely decentralized. The United States Housing Au-

thority cannot turn a single spadeful of dirt or lay a single brick. It is purely a financial assistance agency, which makes loans and subsidies to local public-housing authorities."

This was shown to be completely false. Instead, that program is in every sense a Federal program and completely centralized in Washington.

The United States Housing Authority instigated the enactment of laws to set up State housing bodies, and further instigated the State legislatures to pass enabling acts to create the so-called local housing authorities. In fact, the United States Housing Authority initiates, directs, and maintains complete control over every act relating to the development of the housing project down to and including a requirement that the rents of the occupants of the dwelling units must have its approval before they can be put into effect.

I followed the operations of this public-housing scheme very closely when an attempt was made in 1938 to locate one of its projects in the city of Marion, Ohio, my home town. I was mayor of Marion at the time that took place. Marion residents one evening picked up their daily newspapers and read in large headlines that Marion had been granted a million dollars by the United States Housing Authority for the building of a Federal housing project. Diligent search and inquiry revealed the fact that there had not been even the slightest demand on the part of anybody in Marion for any Federal-housing project. It was an election year and it had become generally known that I might be a candidate for Congress. I accepted the challenge and began informing our citizens of the real nature of the Federal proposal. Our city council not only refused to pass enabling legislation for the building of the project but it actually passed a resolution declaring that the city of Marion would have nothing to do with the proposal.

Armed with the power of eminent domain the United States Housing Authority tentatively drove its stakes setting off an area in the city of Marion for the location of its proposed housing project. The residents of that area were given to understand that they might at any moment be driven out of their homes onto the streets to make room for the project.

Opposition developed by the families in the area against the proposed action of the United States Housing Authority in trying to foist its will upon them. On one of the streets within the area selected for the location of the project 55 percent of the families owned their homes free of debt. I was personally acquainted with a great many of the families living in that area, having attended many of them at their bedsides in cases of illness and having assisted many of their mothers in bringing their babies into the world. So far as I could see, the moral character of the people living in that area compared favorably with that of those living in any other area of comparable size in the city. Some of the houses they lived in were not of the most desirable kind, but by no possible stretch of the imagination could the area be considered as a slum area or the families living in it as slum dwellers.

Think of the people living in that section picking up their daily newspaper one evening and finding themselves referred to as slum dwellers. Further, that a slum survey for Marion filed with the State board showed that social diseases of various forms were found in that area, and that desirable tenants had gradually withdrawn from there until a low class of occupants had almost destroyed the livability of the structures and that—

"Among the comments made in the introduction to the survey were that * * * persons are living below decent levels in regard to sanitation and moral environment. * * * A low standard of living has been

continuing for many years * * * and will, without a doubt, to the detriment of the city and community in general unless action is taken."

When the persons who were responsible for that malicious attack were driven by a self-respecting and righteously indignant people into an indefensible position, what do you suppose they said? Exactly what was to be expected: "We just followed instructions from Washington."

Not only were the people in the area affected opposed to the housing project but also the citizens of the community in general. Mass meetings were held to protest against it. At the same time agents of the United States Housing Authority were working secretly to overcome the opposition and propagandizing our people with their stock in trade, namely, falsehoods and deceptions.

Then the State housing board stepped into the picture, at the instigation no doubt of its creator, the United States Housing Authority. Using the high-handed and dictatorial procedure that is natural to this Federal-housing scheme, the State board ordered a public hearing to be held at Columbus, Ohio, for the purpose of determining whether Marion should or should not have a Federal housing project. Then the real meaning of the word "authority" became apparent. Citizens of Marion were to learn that it was not up to them to determine whether or not they should have a Federal housing project. The State housing board gave us to understand that it and not we would decide that question.

A group of representative citizens of Marion attended that hearing to protest against the project. Another group, headed by the local agent of the Home Owners' Loan Corporation, also attended and urged the building of the project. The State housing board was very partial to the group favoring the project and extended to them every courtesy and consideration. On the other hand the board treated with contempt the plea of those of us who were opposing the housing proposal, heckled and cut us off time and again.

Well, the long and short of it all was that the United States Housing Authority did not construct one of its projects in the city of Marion, Ohio. Political calculations went awry somewhere.

One of the deceptions that is deliberately fostered by the public housing officials is that local housing authorities are independent bodies, that they arise out of local demand, that they are primarily responsible to the communities in which they are located, etc. The fact is that local housing bodies are nothing but dummies of the United States Housing Authority. The trust indenture that secures the bonds sold to local banks to raise what is erroneously called the local contribution to the development cost leaves no doubt as to who is boss over the local housing project. The local housing authority is by law not responsible to the community in which it is located for anything pertaining to the project. In fact the law of the State of Ohio, which is representative of the other State laws relating to this subject, provides that "the governing body, chairman, and counsel of the housing authority shall perform the duties of the municipal council, mayor, and solicitor respectively, * * * and the members of the housing authority shall, and are hereby authorized, to exercise and carry out municipal corporations by the laws providing for such corporation proceedings."

Further that "an authority created under this act shall constitute a body corporate and politic, * * * shall have the following powers in addition to others herein specifically granted."

In fact, the local housing authority is a municipality within a municipality and is

owned and controlled by the United States Government as completely as the arsenals of the Army and Navy.

These public housing projects are exempted from taxation though their occupants receive all the benefits of the schools, police and fire departments, and other municipal facilities. This, of course, throws an extra burden of taxation upon the other citizens of the country. Through some mysterious social benefit which we are told will flow out of the housing projects taxpayers are supposed to be repaid with compound interest.

But the capital deception of the Federal housing program is the false impression which its operators give out that the United States Government lends money to local communities to build these housing projects. The United States Government does not lend to the local community one red cent to pay for the development cost of the housing projects nor does the local community pay any interest on their capital cost. All false propaganda to the contrary notwithstanding, the Federal Government pays the full amount of the capital cost of all housing projects constructed under the United States Housing Act of 1937. Although my analysis of the operation of that act in 1939 exposed completely the deception that the housing projects were being financed by local communities, as alleged by the public housing officials, they nevertheless continue to propagate that deception. In that analysis I showed that the annual Federal contributions were sufficient to more than pay for the development costs of the projects. The amortization tables of George Holzman, which are regarded as standard, were used for making the computations upon which my statements were then made. I shall be able this evening to show by the use of those same tables, and figures supplied me very recently by the Federal Public Housing Authority, that to be as true today as it was then.

As of December 31, 1943, the Federal Public Housing Authority had completed the construction of 557 housing projects at a total cost of \$752,409,000. This does not include the W. P. A. low-rent projects. Three hundred and thirty-seven of the projects are currently operated as low-rent houses. Forty-five low-rent projects have been transferred to war housing. One hundred and seventy-five war-housing projects have been built under Public Act 671, the defense amendment to the United States Housing Act.

Annual Federal contributions will be needed in the year 1944 on the 337 low-rent projects and the 45 low-rent projects transferred to war use. Although no contributions have been needed to date on any of the Public Act 671 projects two or three of them may need contributions before the end of the fiscal year 1944. The annual Federal contributions that will be needed in the year 1944 on the 337 low-rent projects and the 45 low-rent projects transferred to war use average 2.2 percent of their development cost.

The projects constructed under Public, No. 671 do not enter into my computations, but only the so-called low-rent housing projects constructed under the United States Housing Act.

The immediate funds for the development cost of the housing projects are derived from two sources. The Federal Public Housing Authority, through its dummy, that is, the local housing authority, raises 33 percent of the development cost by the sale of bonds to banks and others in the local communities where the projects are built. Those bonds run over a period of 15 years and bear an interest rate of 2.08 percent.

The Federal Public Housing Authority furnishes the remaining 67 percent by the issuance of its own obligations and obtaining the funds directly from the United States Treasury. These funds are borrowed from the Treasury for a period of 59 years. The Federal Public Housing Authority makes the

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12.

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 12 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. DOWNEY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 21, after line 3, insert the following new paragraph:

- 1 The project for Farmington Reservoir on Littlejohn
- 2 Creek, enlargement of Hogan Reservoir on Calaveras River,
- 3 and related protection works is authorized substantially in
- 4 accordance with the recommendations of the Chief of Engi-
- 5 neers in House Document Numbered 545, Seventy-eighth
- 6 Congress, second session, at an estimated cost of \$3,868,200.

78TH CONGRESS
2D SESSION

H. R. 4485

AMENDMENT

Intended to be proposed by Mr. Downey to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

MAY 12 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered
to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 12 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. DOWNEY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 21, after line 2, insert the following new paragraph:

1 The project for the Folsom Reservoir on the American
2 River, California, is hereby authorized substantially in ac-
3 cordance with the plans contained in the report of the dis-
4 trict engineer, Sacramento, California, dated January 15,
5 1944, on file in the Office of the Chief of Engineers, with
6 such modifications thereof as in the discretion of the Secre-
7 tary of War and the Chief of Engineers may be advisable, at
8 an estimated cost of \$18,474,000.

AMENDMENT

Intended to be proposed by Mr. Downey to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

MAY 12 (legislative day, May 9), 1944

Referred to the Committee on Commerce and ordered
to be printed

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. NYE to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

1 On page 12, after line 11, insert the following new para-
2 graphs:

3 The project for the Bald Hill Reservoir on the Sheyenne
4 River for flood control and other purposes in the Sheyenne
5 River Basin, North Dakota, is hereby authorized substantially
6 in accordance with the recommendations of the Chief of
7 Engineers in Senate Document Numbered 193, Seventy-
8 eighth Congress, second session, at an estimated cost of
9 \$810,000.

1 The projects for the construction of one reservoir on the
2 Pembina River and one on the Tongue River for flood control
3 and other purposes in the Pembina River Basin, North
4 Dakota, are hereby authorized substantially in accordance
5 with the recommendations of the Chief of Engineers in
6 Senate Document Numbered 194, Seventy-eighth Congress,
7 second session, at an estimated cost of \$333,800.

8 The project for the construction of a reservoir on the
9 South Branch of Park River for flood control and other
10 purposes in the Park River Basin, North Dakota, is hereby
11 authorized substantially in accordance with the recommenda-
12 tions of the Chief of Engineers in House Document Numbered
13 565, Seventy-eighth Congress, second session, at an
14 estimated cost of \$358,610.

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. NYE to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

1 On page 12, after line 11, insert the following new para-
2 graphs:

3 The project for the Bald Hill Reservoir on the Sheyenne
4 River for flood control and other purposes in the Sheyenne
5 River Basin, North Dakota, is hereby authorized substantially
6 in accordance with the recommendations of the Chief of
7 Engineers in Senate Document Numbered 193, Seventy-
8 eighth Congress, second session, at an estimated cost of
9 \$810,000.

1 The projects for the construction of one reservoir on the
2 Pembina River and one on the Tongue River for flood control
3 and other purposes in the Pembina River Basin, North
4 Dakota, are hereby authorized substantially in accordance
5 with the recommendations of the Chief of Engineers in
6 Senate Document Numbered 194, Seventy-eighth Congress,
7 second session, at an estimated cost of \$333,800.

8 The project for the construction of a reservoir on the
9 South Branch of Park River for flood control and other
10 purposes in the Park River Basin, North Dakota, is hereby
11 authorized substantially in accordance with the recommenda-
12 tions of the Chief of Engineers in House Document Numbered
13 565, Seventy-eighth Congress, second session, at an
14 estimated cost of \$358,610.

AMENDMENT

Intended to be proposed by Mr. Nye to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

May 19 (legislative day, May 9), 1944
Referred to the Committee on Commerce and ordered
to be printed

78TH CONGRESS
2^D SESSION

H. R. 4485

AMENDMENT

Intended to be proposed by Mr. Nye to the bill
(H. R. 4485) authorizing the construction
of certain public works on rivers and har-
bors for flood control, and for other pur-
poses.

MAY 19 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered
to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

MAY 29 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENT

Intended to be proposed by Mr. BUTLER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 27, between lines 4 and 5, insert the following:

- 1 Elkhorn River and its tributaries, Nebraska.

78TH CONGRESS
2d Session

H. R. 4485

AMENDMENT

Intended to be proposed by Mr. BUTLER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

MAY 29 (legislative day, MAY 9), 1944
Referred to the Committee on Commerce and ordered
to be printed

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

JUNE 5 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered to be printed

AMENDMENTS

Intended to be proposed by Mr. WALLGREN to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

- 1 On page 1, line 10, delete the word "and".
- 2 On page 2, line 4, insert the following: "and Federal
- 3 investigations to insure the preservation and protection of
- 4 fishery resources and to develop other biological uses of the
- 5 waters shall be prosecuted by the Fish and Wildlife Service
- 6 under the direction of the Secretary of the Interior in ac-
- 7 cordance with the provisions of the Act of March 10, 1934
- 8 (48 Stat. 401; 16 U. S. C., sec. 663)."
- 9 On page 3, line 10, after the period insert the following:

1 "In the construction of dams or other works authorized by
2 this Act, the Fish and Wildlife Service of the Department of
3 the Interior shall be consulted for the purpose of insuring
4 that the projects incorporate due and adequate provisions for
5 the protection of migratory and resident fish populations;
6 and that otherwise the greatest biological use is made of such
7 waters in accordance with the provisions of the Act of March
8 10, 1934 (48 Stat. 401; 16 U. S. C., sec. 663). To achieve
9 these objectives the Fish and Wildlife Service is directed to
10 conduct in advance of the beginning of the actual construc-
11 tion, such surveys and investigations as may be necessary,
12 the cost thereof to constitute a part of the cost of the con-
13 struction project; and it is hereby directed that the Secretary
14 of War transfer to the Department of the Interior for the
15 use of the Fish and Wildlife Service, out of any appropria-
16 tions hereafter made for the purpose of carrying out the pro-
17 visions of the Act or any part thereof, such funds as may be
18 necessary for the conduct of biological surveys and investi-
19 gations. The reports and recommendations submitted by the
20 Secretary of the Interior resulting from the surveys and
21 investigations of the Fish and Wildlife Service shall consti-
22 tute a part of any and all engineering survey reports and
23 recommendations submitted to the Congress or to any com-
24 mittee thereof by the Secretary of War."

78TH CONGRESS
2D SESSION

H. R. 4485

AMENDMENTS

Intended to be proposed by Mr. WALSH to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

JUNE 5 (legislative day, MAY 9), 1944

Referred to the Committee on Commerce and ordered
to be printed

AUTHORIZING THE CONSTRUCTION OF CERTAIN PUBLIC
WORKS ON RIVERS AND HARBORS FOR FLOOD CON-
TROL, AND FOR OTHER PURPOSES

JUNE 22 (legislative day, MAY 9), 1944.—Ordered to be printed

Mr. OVERTON, from the Committee on Commerce, submitted the
following

REPORT

[To accompany H. R. 4485]

The Committee on Commerce, to whom was referred the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, having considered the same, report favorably thereon with amendments, with the recommendation that the bill, as amended, do pass.

AMENDMENT NO. 1

On page 1, after line 2, insert a new section as follows:

It is the purpose of this Act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by Act of Congress.

The committee is of the opinion that the best interest of the country as a whole will be served by fully utilizing existing Federal agencies in the planning, construction, maintenance, and operation of all improvements for the development of the Nation's water resources. The established Federal agencies have highly trained personnel that are specialists in their respective fields. The chiefs of the principal bureaus and commissions directly responsible for the preparation of plans and for the administration of the national program for the development of the water resources of the country have entered into an agreement to insure cooperation on multiple-purpose projects.

Under the terms of that agreement, conferences are held in Washington at least once each calendar month for the purpose of discussing the results of studies and investigations, adjusting differences of opinion, and promoting ways and means for implementing the agreement.

The committee believes that the most effective means of insuring efficient executive management and a uniform administration of the national policies enunciated by Congress with respect to navigation, flood control, irrigation, development of hydroelectric power, water-flow retardation, and soil-erosion prevention is through the utilization of the permanent executive agencies already established by acts of Congress for the administration of these programs and it recommends adoption of the amendment.

AMENDMENT NO. 2

On page 2, line 23, after the word "operate", insert the word "public".

Amendment 2 specifies that the authority of the Secretary of War to construct, operate, and maintain park and recreational facilities applies only to facilities for public use.

AMENDMENT NO. 3

On page 3, line 2, strike out the word "structures" and insert the words "including structures".

AMENDMENT NO. 4

On page 3, line 2, after the word "facilities", insert the word "thereon".

Amendments 3 and 4 limit the authority of the Secretary of War with respect to reservoir areas to granting leases on lands only of the Federal Government and does not extend the authority to the granting of leases covering the water surface of such reservoirs.

It is intended that the waters of the reservoirs shall be devoted to public use free of charge for the purposes of boating, fishing, swimming, and other recreational activities.

AMENDMENT NO. 5

On page 3 strike out all of lines 4, 5, 6, 7, and on line 8 through the word "interest", and insert the following:

That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted, without monetary consideration, to such agencies for the use of areas suitable for public park and recreational purposes, when the Secretary of War determines such action to be in the public interest. The water areas of all such reservoirs shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary.

Amendment 5 provides that preference in the granting of licenses for the use of areas suitable for public park and recreational purposes shall be given to Federal, State, and local governmental agencies.

AMENDMENT NO. 6

On page 3, after line 10, insert a new section as follows:

Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Amendment 6 authorizes the Secretary of the Interior to dispose of electric power generated at reservoir projects under the control of the War Department.

Existing authority for flood-control projects and the authority contemplated in H. R. 4485 provides for a number of multiple-purpose dam and reservoir projects where large blocks of hydroelectric power will be produced but there is at the present time no general law governing the sale and distribution of power generated at projects under the control of the War Department. In order to attain the greatest benefit to the general public from this hydroelectric power, the time has come to place by law the responsibility for disposal of such power in an existing Federal agency. In the Bonneville Power Administration Act and the Fort Peck Power Administration Act, Congress has authorized the Secretary of the Interior to dispose of the power generated at the Bonneville and Fort Peck projects. More recently, under Executive Order No. 9366, the Secretary of the Interior has been made responsible for the disposal of power from the Denison and Norfolk projects.

The committee has heard testimony from the Secretary of the Interior and from the Director of the Division of Power of the Department of the Interior on this subject. The latter official has informed the committee that the provisions of amendment No. 6 contain sufficient authority and latitude for efficient administration and will satisfactorily enable the Department of the Interior to carry out the intent of the amendment. The committee desires an amendment which provides a convenient and practical method of disposing of power at projects under the control of the War Department without setting up a public power trust which would be unduly competitive with established private power utilities. The committee, therefore, has inserted a proviso which authorizes the Secretary of the Interior to construct and acquire only such transmission lines or related facilities as may be necessary in order to make the power and energy generated at such projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies. The committee recognizes the desirability of granting preferences in the sale of such power and energy to public bodies and cooperatives when the power is generated at projects financed by the Federal Government.

AMENDMENT NO. 7

On page 3, line 16, change the period after "Department" to a colon and add the following:

Provided, That no sale of such water shall adversely affect then existing lawful uses of such water.

In connection with the sale for domestic and industrial use of surplus water available at any reservoir under the control of the War Department, the committee believes that existing lawful uses of water should be protected.

AMENDMENT NO. 8

On page 3, line 15, strike out the word "available" and insert in lieu thereof "allocated".

AMENDMENT NO. 9

On page 3, line 18, change the period to a colon and insert the following:

Provided, That this section shall not apply to the Tennessee Valley Authority except in case of danger from floods.

AMENDMENT NO. 10

On page 3 strike out line 25 and on page 4 strike out the first 10 lines and line 11 through the word "receipts" and insert in lieu thereof the following:

Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization Act; and, within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing:

During the hearings and also by letter the Secretary of the Interior expressed to the committee his views with regard to the utilization of multiple purpose projects under the control of the the War Department where irrigation may be involved and he expressed the view that the language in H. R. 4485, if modified, would provide for more effective administration in relation to the various technical features of the Federal reclamation laws. The committee therefore recommends the adoption of amendment No. 10 which is generally in accord with existing law and the expressed views of the Secretary of the Interior.

AMENDMENT NO. 11

On page 5, after line 15, insert the following:

LAKE CHAMPLAIN BASIN

Modifications of the existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin, Vermont, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 629, Seventy-eighth Congress, second session, at an estimated cost of \$2,120,000.

BLACKSTONE RIVER BASIN

The project for the West Hill Reservoir on the West River, Mass., for flood control and other purposes in the Blackstone River Basin is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$1,070,000.

The project on Blackstone River for local flood protection at Worcester, Mass., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$2,232,000.

The project on Blackstone River for local flood protection at Woonsocket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$803,000.

The project on Seekonk River, for local flood protection at Pawtucket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$82,000.

Amendment 11 authorizes modification of three existing flood-control dams on tributaries of the Winooski River, and construction of flood-control projects in the Blackstone River Basin.

WINOOSKI RIVER, VT.

(H. Doc. No. 629, 78th Cong., 2d sess.)

Winooski River rises in the northeast section of Washington County, Vt., and flows generally westerly for a distance of about 90 miles to Lake Champlain. Under an emergency relief project authorized on June 2, 1933, by the Director of Emergency Conservation Work, the Civilian Conservation Corps, working under the engineering supervision of the Chief of Engineers constructed certain flood-control works within the Winooski River watershed. This work included the construction of Wrightsville Dam on the North Branch, the East Barre Dam on the Jail Branch, and the Waterbury Dam on the Waterbury River.

Subsequent to the construction of those dams, much more comprehensive meteorological and hydrological data have been developed and computations based on these data now indicate that by a combination of certain conditions, nature could produce a flood of such magnitude in the Winooski watershed that the dams could be overtopped and destroyed.

The plan of improvement provides for the modification of the Waterbury, Wrightsville and East Barre Dams to provide adequate spillway capacity for present design floods at an estimated cost to the United States of \$2,120,000.

The committee finds that the proposed modifications are necessary to insure the safety of the structures and to protect the lives and security of the people in the valley below, and recommends the modifications of these structures.

BLACKSTONE RIVER, MASS., AND R. I.

(H. Doc. No. 624, 78th Cong., 2d sess.)

The Blackstone River is formed by the confluence of Mill Brook and the Middle River at Worcester, Mass., and flows about 49 miles in a southeasterly direction to Narragansett Bay. The tidal section of the Blackstone River, below Main Street in Pawtucket, R. I., is generally referred to as the Seekonk River. The Blackstone River drains an area of 540 square miles, of which 382 are in Massachusetts and 158 are in Rhode Island.

Floods on Blackstone River are frequently accompanied by failures of existing dams that intensify flood conditions in many localities in the basin. The major flood losses are the result of inundation of business and industrial districts in municipalities; failure of storage and power dams; interruption of highway and railroad traffic; and suspension of power, water supply, sewage disposal and telephone facilities.

The recommended plan for flood control provides for (a) the construction of the West Hill Reservoir, at an estimated cost to the United States of \$1,070,000, with provisions for increasing the gross capacity to provide conservation storage in the amount desired by the State of Massachusetts or other local interests, provided that the estimated increased cost of the enlarged reservoir be contributed by the State or other local interests; (b) construction of a diversion conduit and channel from Kettle Brook to the Blackstone River bypassing the city of Worcester, at an estimated cost to the United States of \$2,232,000; (c) channel improvement at Woonsocket, at an estimated cost to the United States of \$803,000; and (d) construction of a flood wall at Pawtucket, R. I., for the protection of the city hall and adjacent area, at an estimated cost to the United States of \$82,000.

The committee finds that the economic benefits of the projects amply justify the cost and recommends that the works be constructed in accordance with the plans recommended by the Chief of Engineers.

AMENDMENT NO. 12

On page 5, line 24, change the period to a colon and insert the following:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

The committee does not favor the expenditure of large sums of money at dams in the Connecticut River Basin looking toward the future development of hydroelectric power at those projects in face of local objections and without full reports and hearings thereon and subsequent specific authorization therefor by Congress. Accordingly, the committee recommends the approval of amendment No. 12, which prohibits the generation of hydroelectric power at authorized flood-control dams in the Connecticut River Basin.

AMENDMENT NO. 13

On page 7, after line 19, insert the following:

ROANOKE RIVER BASIN

The general plan for the comprehensive development of the Roanoke River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 650, Seventy-eighth Congress, second session, is approved and the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina, and the Philpott Reservoir on the Smith River in Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$36,140,000.

YADKIN-PEE DEE RIVER BASIN

The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 652, Seventy-eighth Congress, second session, is approved and the construction of the Wilkesboro Reservoir on the Yadkin-Pee Dee River in North Carolina is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$10,840,000.

EDISTO RIVER BASIN

The project for local flood control on Edisto River, S. C., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 182, Seventy-eighth Congress, second session, at an estimated cost of \$139,000.

SAVANNAH RIVER BASIN

The general plan for the comprehensive development of the Savannah River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 657, Seventy-eighth Congress, second session, is approved and the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$35,300,000.

Amendment 13 authorizes improvements for flood control and other purposes in the Roanoke, Yadkin-Pee Dee, Edisto, and Savannah River Basins.

ROANOKE RIVER, VA. AND N. C.

(H. Doc. No. 650, 78th Cong., 2d sess.)

The Roanoke River rises on the eastern slope of the Appalachian Mountains in south-central Virginia, flows 410 miles in a general southeasterly direction and empties into Albemarle Sound, 7 miles northeasterly from Plymouth, N. C. The drainage basin contains 9,580 square miles, of which 6,610 are in Virginia and 3,420 in North Carolina. Section 7 of the Flood Control Act approved June 22, 1936, authorized the Secretary of War to continue surveys, studies, and reports at certain specific localities, including the Roanoke River Basin, where, according to the surveys and estimates previously made, opportunities appear to exist for useful flood-control operations with economical development of hydroelectric power whenever sufficient markets to absorb such power become available. The authorization recommended in this amendment is based on the report of the Chief of Engineers submitted pursuant to the 1936 act.

The report presents a step-by-step comprehensive plan which would provide for the full utilization of the water resources of the Roanoke River Basin. The plan consists of the construction of 11 multiple-purpose projects for flood control, power development and other purposes, at an estimated cost of \$124,000,000 for construction. Due to the flood protection that would be secured and the immediate requirements for additional power-generating capacity, the Buggs Island and Philpott projects on the Roanoke and Smith Rivers, respectively, are recommended for authorization and construction as the initial step in the development of the comprehensive plan, at an estimated cost of \$36,140,000.

The committee notes that the Buggs Island project (initial development) will produce 278,000,000 kilowatt-hours of prime and 153,000,000 of secondary energy per year and that the Philpott project (initial development) will produce 22,400,000 kilowatt-hours of prime and 1,200,000 of secondary energy per year, that over 90 percent of the flood losses to the two main flood-damage areas in the Roanoke River Basin will be eliminated, and that the expected benefits exceed the average annual charges by about 30 percent. The committee recommends approval of the comprehensive plan and authorization for construction of the Buggs Island and Philpott Reservoirs in accordance with the recommendations of the Chief of Engineers.

YADKIN-PEE DEE RIVER, N. C. AND S. C.

(H. Doc. No. 652, 78th Cong., 2d sess.)

The Yadkin River rises on the eastern slope of the Blue Ridge Mountains of western North Carolina, flows northeasterly, easterly, and southeasterly about 202 miles to the mouth of the Uharie River near Badin, N. C., where it changes its name to Pee Dee or Great Pee Dee River, thence it continues southeasterly about 253 miles to enter the Atlantic Ocean through Winyah Bay near Georgetown, S. C. It drains an area of 16,340 square miles in the coastal plain, Piedmont Plateau, and the mountain region. Section 7 of the Flood Control Act approved June 22, 1936, authorized the Secretary of War to continue surveys, studies, and reports at certain specific localities, including the Roeky River (Loves Ford and Crumps Ford), N. C., and at Wilkesboro Dam, Yadkin River, N. C., where, according to the surveys and estimates previously made, opportunities appear to exist for useful flood-control operations with economical development of hydro-electric power whenever sufficient markets to absorb such power become available. The authorization recommended in this amendment is based on the report of the Chief of Engineers submitted pursuant to the 1936 act.

The report presents a comprehensive plan for the step-by-step development of the basin which would provide for the optimum development of the potentialities of the Yadkin-Pee Dee Basin. The plan consists of the construction of multiple-purpose reservoirs at Wilkesboro, Tuekertown, Junction, Morven, Greater Blewett, and Crumps Ford for flood control, power development, and other purposes, at an estimated cost of \$105,840,000 for construction. Due to the flood protection that would be secured, the Wilkesboro project is recommended for authorization and construction as the initial step

in the development of the comprehensive plan at an estimated cost of \$10,840,000.

The committee notes that the Wilkesboro project as an initial development will produce 32,600,000 kilowatt-hours of primary and 1,700,000 of secondary energy per year and that the annual charges estimated at \$499,000 are substantially less than the annual benefits estimated at \$604,000. The committee recommends approval of the comprehensive plan and authorization for construction of the Wilkesboro Dam and Reservoir, in accordance with the recommendations of the Chief of Engineers.

EDISTO RIVER, S. C.

(S. Doc. No. 182, 78th Cong., 2d sess.)

The Edisto River, formed by the junction of its north and south forks in southern South Carolina, flows southeasterly 118 miles to the Atlantic Ocean, 30 miles southwest of Charleston. It drains an area of 2,983 square miles in the coastal plain region.

The Edisto River Basin is subject to frequent overflow and because of the flat slopes throughout the watershed and the inadequate channel capacities, the main stream and its tributaries remain at high stages for long periods.

The plan of improvement recommended by the Chief of Engineers provides for channel and bank clearing along 43 miles of Edisto River and its north and south forks, at an estimated first cost of \$139,000.

The committee concurs in the studies made by the Chief of Engineers and recommends that the project be adopted in accordance with the recommendations of the Chief of Engineers.

SAVANNAH RIVER, S. C. AND GA.

(H. Doc. No. 657, 78th Cong., 2d sess.)

The Savannah River is formed by the junction of Tugaloo and Seneca Rivers on the boundary line between Georgia and South Carolina, and flows easterly along the boundary for 313.7 miles to the Atlantic Ocean. It drains an area of 10,579 square miles, of which 359 are in North Carolina, 4,282 in South Carolina, and 5,938 in Georgia. Section 7 of the Flood Control Act approved June 22, 1936, authorized the Secretary of War to continue surveys, studies, and reports at certain specific localities, including Clark Hill Reservoir, Ga., where, according to the surveys and estimates already made, opportunities appear to exist for usable flood-control operation with economical development of hydroelectric power whenever sufficient markets to absorb such power become available. The authorization recommended in this amendment is based on the report submitted by the Chief of Engineers pursuant to the 1936 act.

The report presents a comprehensive plan for the step-by-step development to provide for the optimum development of the potentialities of the Savannah River Basin. The plan consists of the construction of multiple-purpose reservoirs at Clark Hill, Hartwell, Goat Island, Middleton Shoals, four projects operated conjointly on the Chattooga River, Tallow Hill, Anthony Shoals, and Newry-Old Pickens for flood control, power development and other purposes, at an estimated cost of \$140,400,000 for construction as the initial step

in the development of the comprehensive plan, at an estimated cost of \$35,300,000 for construction.

The committee notes that the Clark Hill project as an initial development will produce 474,100,000 kilowatt-hours of primary and 231,200,000 kilowatt-hours of secondary energy annually, and that the project develops a favorable ratio of costs to benefits of 1 to 2.26. The committee recommends approval of the comprehensive plan and authorization for construction of the Clark Hill project, in accordance with the recommendations of the Chief of Engineers.

AMENDMENT NO. 14

On page 9, after line 13, insert the following:

The project on Red River in the vicinity of Shreveport, Louisiana, for flood control and bank protection is hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 627, Seventy-eighth Congress, second session, at an estimated cost of \$3,000,000, except that, in view of the large expenditure already made by local interests, they shall not be required to contribute to the construction cost.

The project for the Blakely Mountain Dam on the Ouachita River, for flood control and other purposes in the Ouachita River Basin, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 647, Seventy-eighth Congress, second session, at an estimated cost of \$11,080,000.

Amendment 14 authorizes projects for flood-control and other purposes along the Red River in the vicinity of Shreveport and on the Ouachita River at the Blakely Mountain site.

RED RIVER, VICINITY OF SHREVEPORT, LA.

(H. Doc. No. 627, 78th Cong., 2d sess.)

The section of Red River in the vicinity of Shreveport, La., considered in this report, extends from mile 315, above Twelve Mile Bayou Bend, downstream to Eagle Bend at mile 295. Shreveport, La., occupies the west bank of the river between miles 305 and 308 and Bossier City, and the east bank from mile 305 to mile 309. Upstream from the lower limits of Shreveport, the river channel consists of three bends and its bed and banks are composed of readily erodible alluvium.

The Red River at Shreveport is subject to floods which result principally from the run-off from general storms. Bank caving is a serious problem. Local interests have expended approximately \$2,120,000 between 1906 and 1941 for bank protection, set-back levees, and railroad and highway relocations made necessary by the caving banks.

The plan of improvement recommended by the Chief of Engineers provides for the control of bank caving by restoration, enlargement, extension or replacement of the existing protective works at critical areas along both banks of the river in the vicinity of Shreveport, at an estimated cost of \$3,000,000 for construction, of which \$1,500,000 would be chargeable to the United States.

The importance of the bank-erosion problem in this area is evidenced by the large expenditures heretofore made by local interests for control works. The committee finds that the proposed improvements are economically justified. In view of the large expenditure already

made by local interests, it is of the opinion that local interests should be relieved of the requirement to contribute \$1,500,000 toward the cost of the improvement. The committee, therefore, recommends that the project be adopted substantially in accordance with the recommendations of the Chief of Engineers except that local interests shall not be required to contribute to the construction cost. Local interests are required to provide the necessary land and meet other requirements of local cooperation.

OUACHITA RIVER—BLAKELY MOUNTAIN DAM

(H. Doc. No. 647, 78th Cong., 2d sess.)

The Ouachita River rises in Polk County, Ark., and flows 605 miles in a southeasterly direction across the southwestern corner of Arkansas and the northeastern corner of Louisiana and empties into Red River 35 miles above its mouth. It drains an area of 24,280 square miles, of which 1,105 square miles of mountainous terrain are located above the Blakely Mountain Dam site.

Six damaging floods occurred in the Ouachita River Basin between 1927 and 1940. The flood of 1927 caused damage estimated at \$1,260,000.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a multiple-purpose reservoir at the Blakely Mountain site for flood control and power production, by means of an earth-rock fill dam at mile 490, with an initial power installation of 38,000 kilowatts. The dam would create a reservoir of 1,915,000 acre-feet capacity, of which 525,000 acre-feet of storage would be reserved for flood control.

The committee notes that the annual tangible benefits from flood control along the Ouachita River between Rammel Dam and the mouth of the Little Missouri River, resulting from the construction of the Blakely Mountain Dam, are estimated at \$129,900. The committee finds that the multiple-purpose development has a favorable ratio of cost to benefits of 1 to 1.49 and recommends adoption of the project.

AMENDMENT NO. 15

On page 10, line 25, change the period after "Basin" to a comma and add the following:

including the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Seventy-eighth Congress, second session, at an estimated cost of \$15,000,000.

AMENDMENT NO. 16

On page 11, after line 7, insert the following:

The project on the Des Moines River for local flood protection at Des Moines, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Seventy-eighth Congress, second session, at an estimated cost of \$270,000.

Amendments 15 and 16 authorize projects on the Des Moines River.

DES MOINES RIVER, IOWA AND MINN.

(H. Doc. No. 651, 78th Cong., 2d sess.)

The Des Moines River rises in southwestern Minnesota, flows southeasterly across the State of Iowa, and empties into the Mississippi River at Keokuk. It drains an area of 14,540 square miles of flat and rolling plains. Des Moines with a population of 160,000 is the largest city.

Damaging floods may be expected with an average frequency of more than once a year in the lower reaches of Des Moines River and about once every year and a half in the upper basin.

The plan of improvement provides for: (a) The construction of a multiple-purpose reservoir at the Red Rock site for flood-control power and other purposes, with 800,000 acre-feet of storage for flood control, 190,000 acre-feet of storage for the development of power, and 210,000 acre-feet of dead storage to create power head and afford a pool for boating and other recreational uses and to provide conservation benefits; and (b) the enlargement and provision of levees and related works at the city of Des Moines. The estimated costs are \$15,000,000 for the reservoir, and \$270,000 for the local protection works.

The committee concurs in the views of the Chief of Engineers and recommends the authorization of a multiple-purpose reservoir at the Red Rock site on the Des Moines River and local protection works for Des Moines.

AMENDMENT NO. 17

On page 11, line 18, strike out "\$418,000" and insert "\$300,000." Amendment 17 is a clarifying amendment with respect to the Galena River project.

The report of the Chief of Engineers on the Galena River, Ill. and Wis., published in House Document No. 336, Seventy-seventh Congress, second session, recommends the construction of local protection works at an estimated cost of \$418,000 for construction, subject to certain conditions of local cooperation, including a cash contribution of \$118,000, toward the first cost of construction.

Since the amounts shown in the bill consistently represent the estimated Federal cost of the various projects, as shown in the documents referred to and inasmuch as the amendment adopted by the House did not remove the requirements of local cooperation, the committee, in order to avoid an interpretation that any of the conditions of local cooperation for that project have been waived, considers it advisable that the bill cite the estimated Federal cost as shown in House Document No. 336, Seventy-seventh Congress, first session.

AMENDMENT NO. 18

On page 12, after line 11, insert the following:

The project for the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes in the Sheyenne River Basin, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of

Engineers in Senate Document Numbered 193, Seventy-eighth Congress, second session, at an estimated cost of \$810,000.

The projects for the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin, North Dakota, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 565, Seventy-eighth Congress, second session, at an estimated cost of \$333,800.

The project for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 194, Seventy-eighth Congress, second session, at an estimated cost of \$358,610.

Amendment 18 authorizes projects on the Sheyenne, Pembina, and Park Rivers in the drainage basin of the Red River of the North.

SHEYENNE RIVER, N. DAK.

(S. Doc. No. 193, 78th Cong., 2d sess.)

The Sheyenne River rises in central North Dakota and flows 500 miles generally southeast to enter the Red River about 10 miles north of Fargo, N. Dak. The drainage area of 7,320 square miles is characterized by rolling drift prairie lands in the headwaters section, irregular and hilly delta land in the intermediate section, and the flat Red River Valley plain in the lower 70 miles.

Floods in Sheyenne River are usually the result of snow melt followed by warm spring rains. The Chief of Engineers finds that the construction of works solely to prevent flood damages in the basin of the Sheyenne River is not economically justified. However, he finds it practicable by means of reservoir storage, to provide a substantial degree of flood control and to increase the low-water flow of the stream with resultant large water supply and pollution-abatement benefits.

The plan of improvement provides for the construction of the Bald Hill Reservoir on the Sheyenne River for flood control and water conservation and the construction of a low concrete diversion dam in Sheyenne River 35 miles above the mouth and of a short ditch leading thence to the existing Stanley ditch to permit part of the regulated flow to be used for water supply and pollution abatement in Red River of the North at Fargo. Because of the large water-supply benefits to the city of Fargo, N. Dak., the War Department proposes that local interests bear the cost of the Fargo diversion dam and ditch and contribute \$208,000 toward the first cost of the reservoir, and bear the expense of all the necessary alterations of utilities, roads, highways, and bridges. The estimated cost of the project is \$1,341,300, of which \$810,000 is allocated to the Federal Government and \$531,300 to local interests.

As the Bald Hill Reservoir would provide complete protection from floods of record for the section of the river between the dam and the flood plain of the Red River of the North and since the general benefits resulting from increasing the low flow of the river would be considerable, the committee recommends adoption of the project.

PEMBINA RIVER, N. DAK.

(H. Doc. No. 565, 78th Cong., 2d sess.)

The Pembina River has its origin in the Turtle Mountains and the Drift Prairie of southern Manitoba and flows 275 miles southeasterly and easterly to join the Red River of the North in northeastern North Dakota. It drains an area of 3,619 square miles, of which 1,947 are in Canada and 1,672 in the United States. The Tongue River, its principal tributary, drains an area in North Dakota south of the Pembina River.

Floods on the Pembina and Tongue Rivers occur nearly annually in the spring from melting snow and occasionally in the summer from heavy rainfall but generally are not of sufficient magnitude to cause serious damage. The areas subject to inundation are principally flat farm lands with poor drainage. They remain saturated for long periods which delays planting, reduces crop yields, and destroys crops. Local interests are particularly concerned about the serious depletion of the supply of water during the drought year following 1930 and have pointed out that the past floods, the expectancy of future floods, and the danger of a water famine constitute a serious menace to the well-being and prosperity of the various communities along the river.

The Chief of Engineers finds that the average annual flood damages in the Pembina River Basin are too small to warrant the construction of improvements solely for flood protection, and that the best plan of improvement would be the construction of storage reservoirs for the dual purpose of reducing flood flows and increasing low-water flows in the lower reaches of the stream. The plan of improvement provides for the construction of a reservoir on the Pembina River 1 mile downstream from the confluence of Pembina and Little Pembina Rivers and the construction of a reservoir on the Tongue River near Akra, at an estimated cost of \$333,800.

The over-all benefits for the reservoirs on the Pembina and Tongue Rivers exceed the annual charges. The committee has reviewed the benefits resulting from these improvements and is of the opinion that the allocation of costs proposed by the Chief of Engineers between local interests and the United States is a fair and reasonable distribution, that the benefits of a general nature justify the participation by the United States in the amounts proposed. It recommends that the projects on the Tongue and Pembina Rivers be adopted in accordance with the recommendations of the Chief of Engineers.

PARK RIVER, N. DAK.

(S. Doc. No. 194, 78th Cong., 2d Sess.)

The Park River, a small tributary of the Red River of the North, drains an area of 1,010 square miles in northeastern North Dakota. Its headwater streams, South, Middle, and North Branches, rise in the Drift Prairie in Southeastern Cavalier County, and flow in an easterly direction to an almost common confluence near Grafton, forming the main stream which flows easterly 35 miles to the Red River of the North, 36 miles south of the international boundary.

Floods occur nearly annually in the Park River Basin from melting snows, but generally are not of sufficient magnitude to cause damage. The area subject to inundation amounts to about 13,000 acres and

lies principally along the South Branch from 3 to 9 miles west of Grafton. The areas inundated are poorly drained lands which remain saturated for long periods which delays planting and reduces crop yields.

The Chief of Engineers finds that serious water problems concerning both quality and quantity are present in the Park River Basin, and that the construction of a reservoir on South Branch is desirable and economically justified. The plan of improvement proposes the construction of a reservoir on the South Branch for the dual purpose of flood control and water conservation, at an estimated cost of \$358,610.

Water conservation is generally a matter of community or local enterprise in which the Federal Government does not participate. In this case, however, the causes of the prevailing water shortages are beyond the control of the people affected and general public health and welfare justify Federal participation in the cost. The committee has analyzed the nature of the benefits resulting from the construction of a reservoir on the South Branch of Park River and believes that the allocations of costs between the United States and local interests are reasonable. Adoption of the project is recommended.

AMENDMENT NO. 19

On page 13, after line 10, insert the following:

In the interest of developing the natural resources of the Missouri River Basin there is hereby created a commission to be known as the Missouri River Commission, which shall be in the War Department and shall function in accordance with existing law under the direction of the Secretary of War and the supervision of the Chief of Engineers in planning, constructing, operating, and maintaining improvements for navigation and flood control in the Missouri River Basin. The Missouri River Commission shall consist of the same number of members with the same qualifications and methods of appointment, replacement, and removal as prescribed in the Act approved June 28, 1879, for the Mississippi River Commission and the compensation for the members of the Missouri River Commission shall be the compensation presently provided for members of the Mississippi River Commission. The President of the Missouri River Commission shall have the same qualification and shall be designated in the manner prescribed by existing law for the President of the Mississippi River Commission and he shall have the same functions and perquisites including title, pay, allowances, and rank while actually serving as President of the Missouri River Commission as well as the same subsequent retirement privileges under the same conditions as prescribed by law for the President of the Mississippi River Commission.

Amendment No. 19 provides for a Missouri River Commission in connection with the planning, construction, operation, and maintenance of the improvements for navigation and flood control in the Missouri River Basin in order that the water resources of that stream may be developed in the most beneficial manner.

The oldest time-tested waterway organization of the Federal Government is the Army engineers, but the next oldest is the Mississippi River Commission. This Commission has jurisdiction over the greatest flood-control project in the world, which has been developed and prosecuted in a thoroughly scientific and democratic way. The Commission is required by law to make inspections of the works and to hold public hearings through the valley. It submits recommendations to the Chief of Engineers in regard to all works of improvement in the Lower Mississippi Valley.

In view of proven experience with the organization that has operated so successfully, so long, in the Mississippi Valley, this committee

recommend that provision be made in the bill for a Missouri River Commission similar in all respects to the Mississippi River Commission to exercise jurisdiction over flood-control and navigation improvements in the Missouri River Basin, which, with the exception of the Mississippi Valley, is the largest river valley in the United States.

AMENDMENT NO. 20

On page 15, after line 4, insert the following:

The plan of improvement for local flood protection on the Chariton River, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 628, Seventy-eighth Congress, second session, at an estimated cost of \$1,610,300.

Amendment 20 authorizes a flood-control project on the Chariton River.

CHARITON RIVER, MO.

(H. Doc. No. 628, 78th Cong., 2d sess.)

The Chariton River rises near Osceola in south-central Iowa, flows southeasterly and southerly 278 miles to empty into the Missouri River in Chariton County, about 7 miles above Glasgow, Mo. The Chariton River drains 3,080 square miles of plains area varying in topography from flat to rolling, of which 925 square miles are in Iowa and 2,155 square miles in north-central Missouri.

The basin is subject to frequent damaging floods which occur during all seasons of the year. During the 16-year period from 1926 to 1941, 28 floods were experienced. The Chief of Engineers recommends improvement of the Chariton River, Mo., in Chariton, Macon, and Adair Counties and in Schuyler and Putnam Counties in the vicinity of Reinhart ranch by channel and levee improvement, at an estimated cost of \$1,610,300.

The committee believes that these improvements will constitute a suitable and economically justified plan for improvement of Chariton River, and it recommends construction of the works proposed by the Chief of Engineers in the Chariton River Basin.

AMENDMENT NO. 21

On page 16, after line 12, insert the following:

The plan of improvement for flood-control and other purposes in the Kentucky River Basin, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 504, Seventy-eighth Congress, second session, at an estimated cost of \$23,822,000.

The local flood-protection works at Middlesborough on Yellow Creek, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 495, Seventy-eighth Congress, second session, at an estimated cost of \$205,200.

The local flood-protection works on the Rough River and tributaries, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 535, Seventy-eighth Congress, second session, at an estimated cost of \$360,000.

The Turtle Creek Reservoir on Turtle Creek, Pennsylvania, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 507, Seventy-eighth Congress, second session, at an estimated cost of \$2,613,000.

Amendment 21 authorizes flood-control projects on North Fork of Kentucky River, Yellow Creek, Rough River and tributaries, and Turtle Creek.

KENTUCKY RIVER, KY.

(H. Doc. No. 504, 78th Cong., 2d sess.)

The Kentucky River is formed by the junction of the North and Middle Forks, 4 miles east of Beattyville, Ky., and flows 263 miles northwesterly to join the Ohio River about 546 miles below Pittsburgh. The river drains an area of 6,935 square miles.

Floods are of frequent occurrence in the Kentucky River Basin. The agricultural areas subject to flooding, although not extensive, are highly productive. The most important urban centers subject to damage from floods are Jackson, Hazard, Beattyville, Clay City, and Frankfort.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a cut-off in the North Fork of the Kentucky River at Jackson to connect parallel reaches of the North Fork, a short distance downstream from Jackson, at an estimated cost of \$66,000. The cut-off would shorten the stream about $4\frac{1}{4}$ miles and would reduce flood heights at Jackson, Ky., from 4 to 6 feet. The Chief of Engineers also recommends modification of the approved general comprehensive plan for flood control in the Ohio River Basin to permit the development of hydroelectric power at the Jessamine Creek and Booneville projects, which are included in the previously approved comprehensive plan for the Ohio River Basin, and the abandonment of the existing navigation project on the Kentucky River above the site of Jessamine Creek Dam, when that project is built. Detailed studies show that the development of hydroelectric power in the Kentucky River Basin is economically feasible with incidental benefit to water supply and pollution abatement resulting from a better regulation of stream flow.

The committee believes that the Jackson cut-off is warranted by the reduction in flood damages at that point, and that the Kentucky River is a suitable stream for the development of hydroelectric power. It has reviewed the navigation project on the Kentucky River and finds that, during recent years, commerce on the upper river above lock 7 has been rather small or negligible. It is believed that prospective commerce which might use the authorized navigation improvement on the upper river is contingent upon a number of factors that are rather indeterminate. Trends indicate that the commerce on the river below lock 7 will retain its present volume and may increase somewhat but any increase above lock 7 appears improbable. Under these circumstances, the committee feels that the construction of a dam at the Jessamine Creek site would not constitute an unreasonable obstruction to practical navigation on the Kentucky River. Accordingly, the committee recommends the adoption by the Congress of the proposals of the Chief of Engineers.

YELLOW CREEK, KY.

(H. Doc. No. 495, 78th Cong., 2d sess.)

Yellow Creek is formed by the confluence of Stony and Bennetts Forks in Middlesborough, Ky., and flows northward to the Cumberland River, 5 miles above Pineville, Ky. It drains an area of 103 square miles.

Flood damage in the basin is negligible, except at Middlesborough, a coal-mining and manufacturing center, with a population of 12,000. The Flood Control Act of June 22, 1936, authorized the construction of a diversion channel, levees, and appurtenant works to collect and divert the floodwaters of Bennetts, Stony, and Licks Forks and Four Mile Run around the north side of the city. The work was completed in 1940, at a cost of \$807,200, and will be effective in preventing overflow and damage in the city, except for an area at the lower end of the project, subject to overflow by backwater from Yellow Creek.

The plan of improvement provides for the modification of the existing flood-control project for Middlesborough, Ky., on Yellow Creek, to provide for the construction of a supplemental levee system with adequate floodgates, at an estimated cost of \$205,200. The committee finds that the benefits accruing from the works recommended by the Chief of Engineers amply justify the proposed expenditures, and it recommends the adoption of the project.

ROUGH RIVER, KY.

(H. Doc. No. 535, 78th Cong., 2d sess.)

Rough River rises in northwestern Kentucky, flows in a generally westerly direction 136 miles and joins Green River at Livermore, Ky., 71 miles above the confluence of the Green and Ohio Rivers. It drains an area of 1,080 square miles.

Agricultural lands in the lower Rough River Basin are subject to frequent inundation. As a result of the threat of crop losses only about one-half of the area once farmed is now under cultivation and the net yield of cultivated land after crop losses, averages considerably less than half of the normal yield for land of equal productivity but not subject to flooding.

The comprehensive flood-control plan for the Ohio River Basin approved by Congress, includes a reservoir on Rough River which is eligible to be selected for construction. The Chief of Engineers finds that clearing of the channel banks of the lower 64 miles of Rough River and channel improvements in the lower 6.7 miles of Barnett Creek, a tributary, are economically feasible as supplemental works of improvement in the Rough River Basin, and that they will produce important flood-control benefits. The estimated cost of this work is \$360,000.

The committee concurs in the recommendations of the Chief of Engineers and recommends the adoption of the project.

TURTLE CREEK, PA.

(H. Doc. No. 507, 78th Cong., 2d sess.)

Turtle Creek rises in Westmoreland County, Pa., and flows westerly into pool No. 2 of the Monongahela River navigation project, 11.6 miles above the junction of the Monongahela and Allegheny Rivers at Pittsburgh. It drains a watershed about 15 miles long having an area of 148 square miles.

Lower Turtle Creek Valley is subject to destructive floods both from run-off originating within the Creek Basin and from backwater from the Monongahela River when it is at high stage.

The plan of improvement recommended by the Chief of Engineers provides for relief from headwater floods in the lower valley in conjunction with low-water flow improvement for pollution abatement by the construction of a multiple-purpose reservoir on Turtle Creek, 8 miles above the mouth, at an estimated cost of \$2,613,000.

Since flood crests from Turtle Creek reach Pittsburgh ahead of Monongahela-Allegheny River crests, all of the flood-control benefits of the reservoir accrue to the local valley. After carefully considering the nature of the benefits resulting from the construction of the Turtle Creek Reservoir, the committee believes that the allocation of the cost between the United States and local interests, as proposed by the Chief of Engineers, is reasonable and the committee recommends adoption of the project, in accordance with the recommendations of the Chief of Engineers.

The committee desires to point out that amendment No. 21 puts the aforementioned projects into the approved comprehensive basin plan and makes them eligible for selection by the Chief of Engineers for construction under the authorizations made available by the Congress for the prosecution of the comprehensive plan.

AMENDMENT NO. 22

On page 18, after line 3, insert the following:

The project for the Mount Morris Reservoir on the Genesee River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 615, Seventy-eighth Congress, second session, at an estimated cost of \$5,360,000.

Amendment 22 authorizes construction of a reservoir for flood control on the Genesee River.

GENESEE RIVER, N. Y.

(H. Doc. No. 615, 78th Cong., 2d sess.)

Genesee River has its source in the Allegheny Mountains in northern Pennsylvania, and flows northward 158 miles to Lake Ontario at Rochester. It drains an area of 2,476 square miles consisting of a series of terraces descending northward from the Allegheny plateau to Lake Ontario. Rochester, with a population of 328,000, is an industrial and distributing center and is the largest city in the basin.

Floods are a frequent occurrence in the Genesee Basin and affect residential and industrial centers in Rochester, Mount Morris, Cumminsville, and Wellsville; agricultural land in the Genesee and Canaseraga Valleys; and railroads and utilities at a number of localities. The plan of improvement recommended by the Chief of Engineers consists of the construction of the Mount Morris Reservoir on Genesee River, N. Y., for flood control and other purposes, at an estimated cost of \$5,360,000.

The committee notes that the Mount Morris Reservoir would fit into any comprehensive plan for the development of the water resources of the Genesee River Basin. It finds that the Mount Morris Reservoir is economically justified and will provide flood protection to the city of Rochester and to the valley lands between Mount Morris and Rochester. Accordingly, it recommends adoption of the project.

AMENDMENT NO. 23

On page 18, after line 24, insert the following:

GREAT SALT BASIN

The project on the Sevier River for local flood protection at Redmond, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 614, Seventy-eighth Congress, second session, at an estimated cost of \$281,000.

COLORADO RIVER BASIN

The project for the Alamo Reservoir on the Bill Williams River, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 625, Seventy-eighth Congress, second session, at an estimated cost of \$3,202,000.

Amendment 23 authorizes projects on the Sevier River in the Great Salt Basin and on the Bill Williams River in the Colorado River Basin.

SEVIER RIVER AT REDMOND, UTAH

(H. Doc. No. 614, 78th Cong., 2d sess.)

The Sevier River rises in the mountains of southern Utah, flows northerly 240 miles, then southwesterly 85 miles and empties into Sevier Lake which has no outlet. It drains an area of about 11,100 square miles. Redmond, with a population of 640, is on the west bank of the river, 155 miles above its mouth.

Floods occur in Sevier River at Redmond about three times every 5 years. They cause damages to crops on and irrigation facilities appurtenant to about 3,300 acres of farm land near Redmond; to roads, bridges, the diversion dams of the Westview and Gunnison-Fayette canals and crops on about 3,900 acres of irrigated lands served by the diversions; to main canals; and to the town of Redmond.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a leveed channel from near Salina to a point about 50,000 feet downstream, of a levee extending from the relocated Westview Diversion Dam to Redmond Lake Dam, and of two diversion dams to replace existing structures, all at an estimated cost of \$281,000.

The committee finds that the project for the improvement of the Sevier River at Redmond is economically justified by a wide margin and recommends the adoption of the project in accordance with the recommendation of the Chief of Engineers.

BILL WILLIAMS RIVER, ARIZ.

(H. Doc. No. 625, 78th Cong., 2d sess.)

The Bill Williams River is formed by the junction of the Big Sandy and Santa Maria Rivers in west central Arizona and flows westerly 47 miles into Havasu Lake on Colorado River. The basin has an area of 5,500 square miles and consists largely of desert valleys lying between irregularly distributed minor mountain ranges.

Floods occur on the Bill Williams River on an average of once in 3 or 4 years. It is estimated that about 26,000 acres of land are subject to inundation during major floods and that flood damages in the basin

average about \$5,000 annually. Floods on Bill Williams River, however, also cause damage in the lower Colorado River Valley. It is estimated that from 220,000 to 233,000 acres of arable land in Parker, Palo Verde and Yuma Valleys are affected and that future damages in these highly developed agricultural areas will average \$184,000 annually.

The plan of improvement recommended by the Chief of Engineers provides for the construction of a multiple-purpose reservoir on the Bill Williams River at the Alamo site, at an estimated cost of \$3,202,000. The reservoir is to be used initially for flood control with provisions for its future use as a multiple-purpose project for flood control and to include conservation storage for ultimate development of irrigation and power in and near the Bill Williams Basin.

The project proposed by the Chief of Engineers will provide immediately the needed protection for lives and property in the highly developed lower Colorado River Valley and will provide for ultimate utilization of the water resources of Bill Williams River to the maximum practicable extent for irrigation and water power with incidental benefits to water supplies, recreation and wildlife. The committee recommends the adoption of the project, in accordance with the recommendation of the Chief of Engineers.

AMENDMENT NO. 24

On page 20, after line 6, insert the following:

PAJARO RIVER BASIN

The plan of improvement for local flood protection on the Pajaro River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 505, Seventy-eighth Congress, second session, at an estimated cost of \$511,160.

Amendment 24 authorizes a project for flood control and other purposes in the Pajaro River Basin.

PAJARO RIVER, CALIF.

(H. Doc. No. 505, 78th Cong., 2d sess.)

The Pajaro River rises in San Felipe Lake, flows westerly about 30 miles and empties into Monterey Bay about 75 miles south of San Francisco. It drains an area of 1,303 square miles of mountain and valley lands in western California.

Damages due to floods are confined principally to South Santa Clara Valley and to lands along the Pajaro River. Damaging floods occur on Pajaro River below the San Benito River, with an average frequency of once in 2 or 3 years.

The Chief of Engineers recommends a project for flood control consisting of levees with bank protection works along the lower Pajaro River and on Carnádero Creek at Gilroy at an estimated cost of \$511,160.

The committee believes that the improvements recommended by the Chief of Engineers are warranted and recommends the adoption of the project.

AMENDMENT NO. 25

On page 20 strike out lines 9 through 17 and insert in lieu thereof the following:

The projects for the control of floods and other purposes on the Sacramento River, California, adopted by the Acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 649, Seventy-eighth Congress, second session, at an estimated cost of \$50,100,000; and in addition to

SACRAMENTO RIVER, CALIF.

(H. Doe. No. 649, 78th Cong., 2d sess.)

Amendment 25 modifies the existing project on the Sacramento River in accordance with the recommendations of the Chief of Engineers as contained in House Document No. 649, Seventy-eighth Congress, second session, instead of in accordance with the recommendations of the Board of Engineers, for Rivers and Harbors since the report of the Chief of Engineers has now been submitted. At the time the House of Representatives passed H. R. 4485, the report of the Chief of Engineers had not been transmitted to Congress. The only essential change in the recommendations provides for the installation of a small power plant in connection with the Table Mountain project as recommended by the Federal Power Commission, if found advisable, at an estimated additional cost of \$4,050,000.

AMENDMENT NO. 26

On page 21 after line 2, insert the following:

The project for the Folsom Reservoir on the American River, California, is hereby authorized substantially in accordance with the plans contained in House Document Numbered 649, Seventy-eighth Congress, second session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$18,474,000.

SACRAMENTO RIVER, CALIF.

(H. Doe. No. 649, 78th Cong., 2d sess.)

Amendment 26 authorizes the construction of the Folsom Reservoir project on the American River in accordance with the plans contained in House Document No. 694, Seventy-eighth Congress, second session. The plan of improvement provides for the construction of a concrete gravity dam at the Folsom site for flood control and irrigation. The structure would be 265 feet high creating a reservoir having a total storage capacity of 355,000 acre-feet, of which 303,000 acre-feet would be usable storage and 52,000 acre-feet dead storage. The maximum storage reserved for flood control would be 260,000 acre-feet, which is equivalent to 2.6 inches of run-off over the 1,875 square miles of drainage area above the dam. The design of the structure includes power intake facilities, as it is considered that power development at this site may be warranted in the future.

The Folsom project will control flood peaks on the American River and thereby reduce the threat to the city of Sacramento which would be seriously flooded if an uncontrolled flood on the American River

should synchronize with a major flood crest on the Sacramento River. The possibility of the occurrence of the synchronization of flood crests on these two rivers is a constant peril to the residents of Sacramento and vicinity.

AMENDMENT NO. 27

On page 22, after line 24, insert the following:

The plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Seventy-eighth Congress, second session, at an estimated cost of \$3,868,200.

NAPA RIVER BASIN

The project for the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 626, Seventy-eighth Congress, second session, at an estimated cost of \$460,000.

Amendment 27 authorizes projects in the San Joaquin and Napa River Basins.

CALAVERAS RIVER AND LITTLEJOHN CREEK, CALIF.

(H. Doc. No. 545, 78th Cong., 2d sess.)

The streams comprising the Littlejohn and Calaveras River groups rise in the Sierra Nevada and its foothills, flow westerly across the flat lands of the San Joaquin Valley and empty into the San Joaquin River directly, or through various sloughs in the vicinity of Stockton. Together, they drain an area of 1,220 square miles. The valley lands are essentially a delta area in which the streams of both groups are more or less interconnected by creeks and swales.

Floods on these streams are flashy and of relatively small volume of run-off. At least 16 damaging floods have occurred in the 42-year period between 1899 and 1940. Stockton and the rural towns of French Camp, Farmington, and Linden are subject to inundation by major floods.

The Chief of Engineers recommends a plan of improvement consisting of the construction of the Farmington Reservoir on Littlejohn Creek in the foothill section to control the run-off from 210 square miles; a diversion channel from Duck Creek to Littlejohn Creek below the reservoir to limit Duck Creek flows below Farmington; two dikes across downstream channels leading from Duck Creek to Mormon Slough; enlargement of Hogan Reservoir to provide storage capacity for flood control and irrigation; enlargement of 14.4 miles of existing channel in Bear Creek; excavation of 1.3 miles of new channel; and construction of 30.1 miles of levee, all at an estimated cost of \$3,868,200.

The works proposed will afford complete protection from floods of the magnitude of the maximum of record and in addition will provide opportunity for the storage of water for irrigation and municipal water supply. The committee finds that the works proposed by the Chief of Engineers are urgently needed to maintain the orderly economic development of the watershed, and recommends that the project be adopted in accordance with the recommendations of the

Chief of Engineers and subject to the conditions of local cooperation set forth in his report.

NAPA RIVER, CALIF.

(H. Doc. No. 626, 78th Cong., 2d sess.)

The Napa River rises on the south slope of Mount St. Helena in Lake County, Calif., flows in a southeasterly direction 50 miles, and empties into Marc Island Strait, an arm of Carquinez Strait. The drainage basin comprises 394 square miles, ranging from tidal marshes in the downstream portion to mountainous terrain along the eastern, northern, and western borders.

The Napa River Basin is subject to severe winter rainstorms which cause damaging floods in the main stream and many of its tributaries. The summers are dry, and the normal flow in the stream is inadequate to meet the demands for domestic water supplies and irrigation.

The Chief of Engineers recommends a plan of improvement consisting of the construction of a multiple-purpose reservoir on Conn Creek for flood control and water conservation supplemented by channel clearing, bank protection, and dikes at certain points between the proposed dam and Napa, at an estimated cost of \$1,293,000, of which \$460,000 would be borne by the Federal Government. Since the proposed project will have a portion of its storage reserved exclusively for water supply, the Chief of Engineers recommends that local interests contribute toward the cost of the reservoir, the cost of the conservation feature estimated as \$836,000.

The committee believes that the project recommended by the Chief of Engineers is both desirable and economically justified and it recommends that the project be adopted in accordance with the recommendations of the Chief of Engineers.

AMENDMENT NO. 28

On page 24, after line 20, insert the following:

CHEHALIS RIVER BASIN

The project on Chehalis River for local flood protection at Hoquiam, Aberdeen, and Cosmopolis, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 494, Seventy-eighth Congress, second session, at an estimated cost of \$669,000.

TERRITORY OF HAWAII

The project of the Hanapepe River for local flood protection at Hanapepe, Island of Kauai, Territory of Hawaii, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on March 15, 1944, at an estimated cost of \$73,000.

Amendment 28 authorizes local flood protection works in the Chehalis River Basin and on the island of Kauai, T. H.

CHEHALIS RIVER, WASH.

(H. Doc. No. 494, 78th Cong., 2d sess.)

Chehalis River rises in southwestern Washington, flows north and east 42 miles to the city of Chehalis, thence northwesterly 68 miles to Aberdeen where it empties into Grays Harbor, an arm of the Pacific Ocean. It drains an area of 2,063 square miles.

Hoquiam, Aberdeen, and Cosmopolis are subject to extensive damage resulting from high tidal stages in Grays Harbor caused by winds. Above these municipal areas, the basin is subject to damaging headwater floods with an approximate frequency of once in 3 years.

The Chief of Engineers finds that works of improvement for the reduction of headwater flood damage cannot be justified at this time. He finds that protection against tidal floods at Aberdeen, Hoquiam, and Cosmopolis are warranted. He recommends protection for these areas by a system of earth levees, concrete and sheet piling wall, and the raising of railway embankments and appurtenant works, at an estimated cost of \$669,000.

The committee is of the opinion that the project for the protection of municipal areas in the Chehalis River Basin is economically justified and recommends the adoption of the project in accordance with the recommendations of the Chief of Engineers.

HANAPEPE RIVER, ISLAND OF KAUAI, T. H.

(Report transmitted March 15, 1944)

Hanapepe River drains an area of 30 square miles in the south central portion of the Island of Kauai, T. H. It flows southwesterly and empties into the Hanapepe Bay where there is an existing federally improved harbor known as Port Allen; 1,170 of the 1,500 inhabitants in the basin reside in the town of Hanapepe.

The flood plain of the Hanapepe River extends from the bay approximately 2.3 miles upstream and is 1,000 to 3,000 feet wide containing about 144 acres in the town and 230 acres of agricultural land above the town. During the past 20 years the river has been subjected to six important damaging floods.

The plan of improvement recommended by the Chief of Engineers would protect about 27 acres, including the principal business and residential property in the town of Hanapepe against the largest flood reasonably to be expected on an average of once in 100 years. The work consists of the construction of a concrete flood wall extending from new Kauai Highway to the cliffs, the raising of a short section of roadway at the upper end, and to assure effectiveness of the work, replacement of railway trestles which accumulate quantities of drift during flood periods, all at an estimated cost of \$73,000.

The committee believes that the plan of flood protection for the business and residential sections of the town of Hanapepe is warranted and recommends adoption of the project recommended by the Chief of Engineers.

AMENDMENT NO. 29

On page 25, after line 19, insert the following:

Pasquotank River, North Carolina.

Amendment 29 includes in the bill authorization for a preliminary examination and survey of Pasquotank River, N. C.

AMENDMENT NO. 30

On page 25, after line 24, insert the following:

For flood control, rice irrigation, navigation, pollution, salt-water intrusion, and drainage on all streams and bayous in southwest Louisiana, west of the West Atchafalaya Basin protection levee, and south of the latitude of Boyce; on all

streams and bayous in Louisiana lying between the East Atchafalaya Basin protection levee and the Mississippi River; and on Amite River and tributaries, Louisiana.

Amendment 30 includes in the bill authorization for a preliminary examination and survey of certain streams in Louisiana for flood control, rice irrigation, navigation, pollution, salt-water intrusion, and drainage.

AMENDMENT NO. 31

On page 26, after line 21, insert the following:

Arkansas River above Pine Bluff, Arkansas, with special reference to control of caving banks in the vicinity of Hensley Bar and the McFadden Place, in Jefferson County, Arkansas.

Amendment 31 includes in the bill authorization for a preliminary examination and survey of the Arkansas River above Pine Bluff, Ark., with a special reference to the control of caving banks in the vicinity of Hensley Bar and the McFadden Place, in Jefferson County, Ark.

AMENDMENT NO. 32

On page 27, after line 2, insert the following:

Corte Madera Creek, Marin County, Calif.

Amendment 32 includes in the bill authorization for a preliminary examination and survey of Corte Madera Creek, Marin County, Calif.

AMENDMENT NO. 33

On page 27, after line 4, insert the following:

Elkhorn River and its tributaries, Nebraska.

Amendment 33 includes in the bill authorization for preliminary examination and survey of the Elkhorn River and its tributaries, Nebraska.

AMENDMENT NO. 34

On page 27, line 5, strike out "\$810,000,000" and insert in lieu thereof "\$959,465,000".

Amendment 34 raises to \$959,465,000 the total authorization provided by the bill in order that sufficient authorization may be available to cover the additional improvements included in the bill by the amendments of the Senate.

PROJECTS RECOMMENDED BY THE SECRETARY OF AGRICULTURE

Amendments 35 to 42, inclusive, pertain to the program of the Department of Agriculture for run-off retardation and soil-erosion prevention on certain watersheds of the United States for which authorization under the flood control legislation is proposed in H. R. 4485. The bill as passed by the House of Representatives, contains items authorizing plans of improvements for eight watersheds. The amendments recommended by the committee make certain modification in the language of the bill as it passed the House of Representatives and includes authorization for three additional watersheds.

AMENDMENT NO. 35

On page 28, line 11, change the period after the word "requirements" to a colon and insert the following:

Provided further, That nothing in this section shall be construed as approving or authorizing the acquisition of any land by the Federal Government.

The committee heard testimony from representatives of the Department of Agriculture pertaining to their program for run-off retardation and soil-erosion prevention. The testimony presented at these hearings showed that several of the Department of Agriculture's reports recommend the acquisition of land. The committee believes that it is unwise for the Federal Government to acquire large tracts of land for watershed treatment programs under flood-control legislation. It has, therefore, recommended amendment No. 35 which provides that nothing in this section shall be construed as approving or authorizing the acquisition of any land by the Federal Government.

AMENDMENT NO. 36

On page 28, after line 18, insert the following:

SANTA YNEZ RIVER WATERSHED

The program on the Santa Ynez River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 518, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$418,000.

SANTA YNEZ RIVER WATERSHED

(H. Doc. No. 518, 78th Cong., 2d sess.)

Amendment 36 authorizes the program of watershed treatment on the Santa Ynez River, Calif., at an estimated cost of \$418,000.

AMENDMENT NO. 37

On page 28, line 24, strike out "\$32,000,000" and insert in lieu thereof "\$27,348,000".

TRINITY RIVER, TEX.

(H. Doc. No. 708, 77th Cong., 2d sess.)

Amendment 37 reduces the estimated cost of the Department of Agriculture's program on the Trinity River watershed from \$32,000,000 to \$27,348,000. This reduction is the estimated cost of the acquisition of land and the treatment of that land by the Department of Agriculture.

AMENDMENT NO. 38

On page 29, line 7, strike out "\$4,221,000" and insert in lieu thereof "\$2,171,000."

LITTLE TALLAHATCHIE RIVER, MISS.

(H. Doc. No. 892, 77th Cong., 2d sess.)

Amendment 38 reduces the estimated cost of the Department of Agriculture's program on the Little Tallahatchie River watershed from \$4,221,000 to \$2,171,000. This reduction is the estimated cost

of the acquisition of land and the treatment of that land by the Department of Agriculture.

AMENDMENT NO. 39

On page 29, after line 7, insert the following:

YAZOO RIVER WATERSHED

The program on the Yazoo River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 564, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$12,500,000.

YAZOO RIVER WATERSHED, MISSISSIPPI

(H. Doc. No. 564, 78th Cong., 2d sess.)

Amendment 39 authorizes the program of the watershed treatment on the Yazoo River, Miss., at an estimated cost of \$12,500,000.

AMENDMENT NO. 40

On page 30, after line 2, insert the following:

BUFFALO CREEK WATERSHED, NEW YORK, (BUFFALO, CAYUGA, AND CAZENOVIA CREEKS)

The program on the watershed of Buffalo Creek and its tributaries, Cayuga and Cazenovia Creeks, is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 574, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$739,000.

BUFFALO CREEK WATERSHED, NEW YORK, (BUFFALO, CAYUGA, AND CAZENOVIA CREEKS)

(H. Doc. No. 574, 78th Cong., 2d sess.)

Amendment 40 authorizes the program of watershed treatment on the Buffalo Creek and its tributaries, Cayuga and Cazenovia Creeks, N. Y., at an estimated cost of \$739,000.

AMENDMENT NO. 41

On page 30, line 19, strike out "\$11,243,000", and insert in lieu thereof "\$7,007,000."

WASHITA RIVER, OKLA. AND TEX.

(H. Doc. No. 275, 78th Cong., 1st sess.)

Amendment 41 reduces the estimated cost of the Department of Agriculture's program on the Washita River, Okla. and Tex., from \$11,243,000 to \$7,007,000. This reduction is the estimated cost of the acquisition of land and the treatment of that land by the Department of Agriculture.

AMENDMENT NO. 42

On page 31, line 6, strike out "10", and insert in lieu thereof "12."

Amendment 42 is to take into account the new section numbering of the bill as recommended by the committee.

AMENDMENT NO. 43

On page 32, after line 2, insert a new section as follows:

SEC. 15. (a) The Chief of Engineers of the United States Army is authorized and directed to make examinations of any privately owned or operated dam constructed across navigable waters of the United States, or across tributaries thereof.

(b) Whenever it shall appear, after reasonable notice and opportunity for hearing to the person or corporation owning or controlling any such dam, that such dam is being operated or maintained in such a manner as to jeopardize the safety of persons or property either above or below such dam, the Chief of Engineers shall enter orders requiring such changes in the operation or maintenance of such dam as he deems appropriate and necessary, and prescribing a reasonable time within which such changes shall be made. If, at the end of such reasonable time, the changes in operation or maintenance ordered by the Chief of Engineers have not been made, the Chief of Engineers shall notify the United States district attorney for the district in which such dam or any part thereof is situated, who shall forthwith cause criminal proceedings to be instituted against the person, or corporation, owning or controlling such dam.

(c) Any person or corporation willfully failing or refusing to comply with an order of the Chief of Engineers issued pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000. Every month during which such willful failure or refusal continues shall be deemed to be a separate offense and shall subject such person or corporation to the penalties herein prescribed.

Amendment 43 proposes a new section which authorizes the Chief of Engineers to make inspections of dams constructed across navigable waters of the United States or across tributaries thereof and to require such changes in the operation and maintenance of such dams as he may deem appropriate and necessary to safeguard life and property.

Considerable testimony was presented to the committee to the effect that in certain cases private dam and reservoir projects have been operated in such manner as to increase flood hazards. They desire that the Chief of Engineers inspect and supervise the operation of such projects to safeguard against such hazards.

SUMMARY OF PROJECTS IN THE BILL

The Committee on Flood Control of the House of Representatives gives in detail in its Report No. 1309, dated March 29, 1944, the explanation of projects of the War Department included in the flood control bill as passed by the House of Representatives. These projects and page references to the discussion thereof in Report No. 1309 are tabulated below.

River or basin	Authorization in H. R. 4485 as passed by House of Rep- resentatives	Page in Report No. 1309
Connecticut River.....	\$30,000,000	8, 9
Thames River.....	7,200,000	9
Housatonic River.....	5,151,000	9, 10
Susquehanna River.....	10,374,000	10, 11
Mohile-Alabama-Coosa River.....	14,400,000	11, 12
Lower Mississippi River.....	210,717,000	12-15
Red-Ouachita River.....	3,800,000	15
Arkansas River.....	46,708,400	16-18
White River.....	45,000,000	19
Upper Mississippi.....	10,708,500	19-22
Red River of the North.....	902,940	22
Missouri River.....	216,785,730	23-29
Ohio River.....	70,000,000	29-31
Great Lakes.....	775,200	31-33
Colorado River (Texas).....	6,360,000	33, 34

River or basin	Authorization in H. R. 4485 as passed by House of Rep- resentatives	Page in Report No. 1309
Brazos River.....	\$15,000,000	34, 35
Rio Grande Basin.....	68,500	35
San Diego River.....	370,000	35, 36
Ventura River.....	1,600,000	36
Santa Ana River.....	10,000,000	36-38
Los Angeles-San Gabriel River Basin.....	25,000,000	38
Sacramento River.....	15,000,000	39
San Joaquin River.....	40,400,000	39-45
Coquille River.....	143,000	45
Nehalem River.....	23,000	45, 46
Willamette River.....	20,000,000	46, 47
Columbia River.....	1,339,000	47, 48
Willapa River.....	127,000	48, 49
Total.....	807,953,270	

The War Department projects added by the proposed amendments of the committee and discussed previously in this report are tabulated below:

River or basin:	Authorization
Lake Champlain Basin.....	\$2,120,000
Blackstone River.....	4,187,000
Roanoke River.....	36,140,000
Yadkin-Pee Dee River Basin.....	10,840,000
Edisto River.....	139,000
Savannah River.....	35,300,000
Red-Ouachita River.....	14,080,000
Upper Mississippi River.....	15,152,000
Red River of the North.....	1,502,410
Missouri River.....	1,610,300
Ohio River.....	27,000,000
Great Lakes.....	5,360,000
Great Salt Basin.....	281,000
Colorado River.....	3,202,000
Pajaro River.....	511,160
Sacramento River.....	22,518,000
San Joaquin River.....	3,868,200
Napa River.....	460,000
Chehalis River.....	669,000
Territory of Hawaii.....	73,000
Total.....	185,013,070

O'MAHONEY AMENDMENT

The committee has considered the amendment offered by Senator O'Mahoney and its several revisions. Extensive testimony pro and con is contained in the hearings. Many considerations, among them the following, have caused the committee to reject the amendment and to recommend against the adoption of this or any similar amendment in connection with the flood-control bill.

(a) The proposed legislation is of very doubtful constitutionality and would give rise to much fruitless litigation with consequent serious delay to important construction work.

(b) Under the proposed O'Mahoney amendment any authorization of any project contained in the bill will become ineffective if objected to by any affected State (as defined in the amendment) or upon the objection of the Secretary of the Interior in respect to all projects west

of the ninety-seventh meridian. Every project contained in this bill has been thoroughly processed by the Corps of Engineers and opportunity given for anybody in interest to be heard in opposition. Furthermore, the committee has spent days in hearing testimony in respect to all the projects recommended to be authorized. All this laborious work on the part of the Army engineers and the committee and, finally, of the Congress, may in many instances prove to be "Love's labor lost." The amendment would in fact give the States a power of veto over legislation enacted by the Congress and approved by the President.

(c) The opportunity for States and other local interests to present their views on proposed improvements which the amendment purports to provide is at present fully safeguarded by existing procedures of the Federal construction agencies, especially the Corps of Engineers, and through the democratic process of open hearings before the committees of Congress which consider authorizing legislation and appropriate bills.

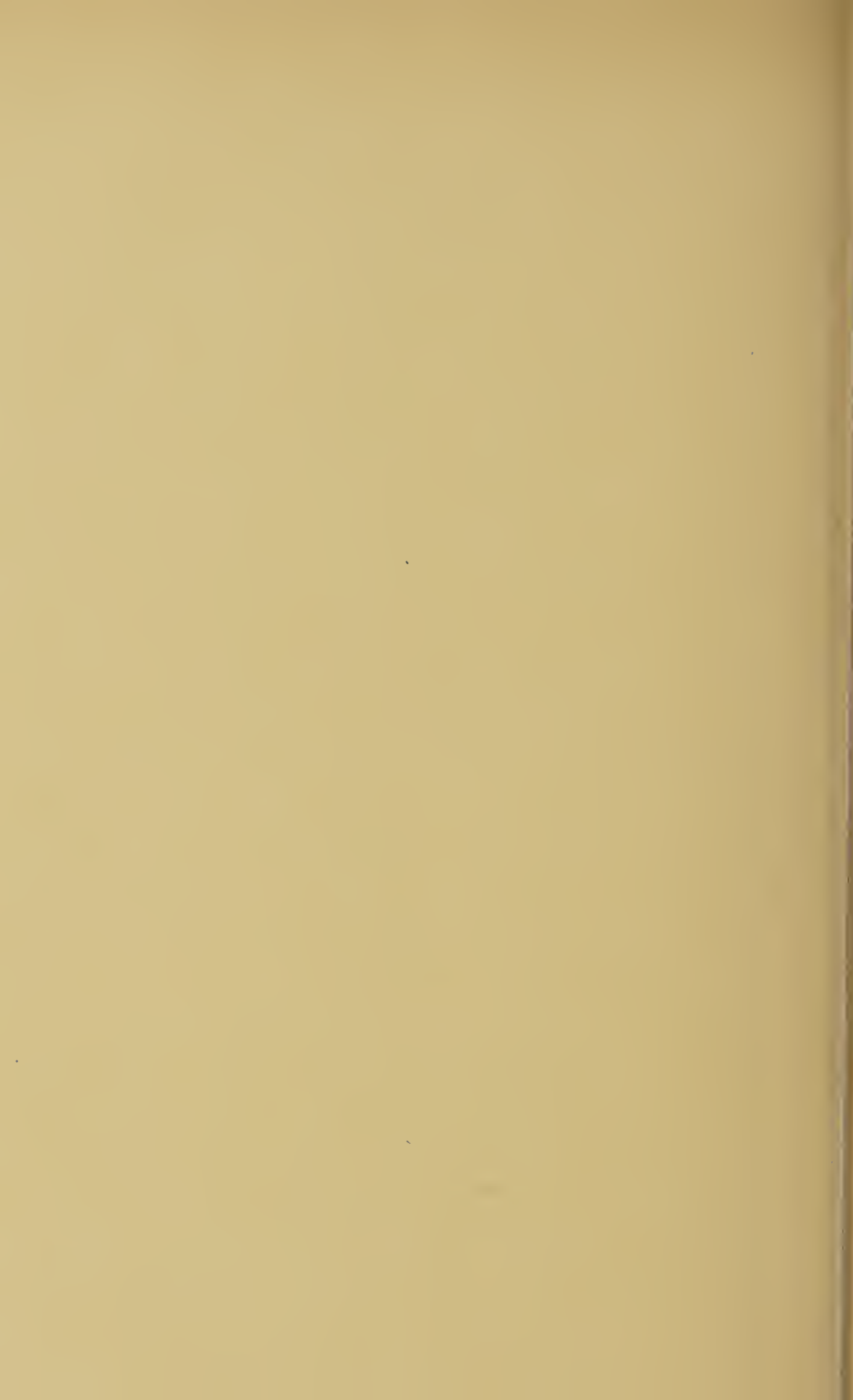
(d) The changes in water-use policy which would result from enactment of the amendment are of such far-reaching consequence that they go far beyond the jurisdiction of this committee and the scope of the flood-control bill. Any such broad modifications of existing policy should be considered in separate legislation dealing only with those subjects.

(e) If Congress does consider changing existing policies by legislation the committee recommends that all Federal agencies be placed on the same basis and specifically that Congress retain to itself the function of authorizing investigations and construction of water-use projects individually by act of Congress. This would require revision of the Federal Reclamation Act under which at the present time projects are authorized merely by means of a finding of feasibility by the Secretary of the Interior.

OTHER FLOOD-CONTROL BILLS CONSIDERED

Senators Clark of Missouri, McClellan, and Maybank introduced bills S. 1812, S. 1519, and S. 1876, respectively, as separate flood-control bills. These were considered by the committee as proposed amendments to H. R. 4485. The amendments proposed by the committee to H. R. 4485 incorporate a number of the provisions of all three of these separate flood-control bills.





H. R. 4485

IN THE SENATE OF THE UNITED STATES

AUGUST 9 (legislative day, AUGUST 8), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. HAYDEN to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 10, after line 10, insert the following:

- 1 The project on the Little Colorado River for local flood
- 2 protection at Holbrook, Arizona, is hereby authorized sub-
- 3 stantially in accordance with the recommendations of the
- 4 Chief of Engineers in House Document Numbered 648,
- 5 Seventy-eighth Congress, second session, at an estimated cost
- 6 of \$258,000.

AMENDMENT

Intended to be proposed by Mr. HAYDEN to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

AUGUST 9 (legislative day, August 8), 1944
Ordered to lie on the table and to be printed

Aug.
22

decision by the legislative authorities concerned with policy. The committee is in full accord with the Civil Aeronautics Board and the other executive agencies concerned in recognizing the advisability of "active consideration of the question of the over-all policy relating to our very important international air transportation services."

This letter is being forwarded to you as the final authority under existing law on the issuance of certificates for the operation of United States air lines in overseas and international transportation. A copy is being forwarded to the Civil Aeronautics Board, who must approve applications for acquisition or mergers of American-flag carriers in the international field.

Cordially yours,

JOSIAH W. BAILEY,
Chairman, Committee on Commerce.
BENNETT CHAMP CLARK,
Chairman, Subcommittee on
Civil Aeronautics.

DISPOSAL OF SURPLUS WAR PROPERTY—AMENDMENT

Mr. HATCH submitted an amendment intended to be proposed by him to the bill (S. 2065) to establish a Surplus War Property Administration, to provide for the proper disposal of surplus war property, and for other purposes, which was ordered to lie on the table and to be printed.

SPECIAL COMMITTEE TO INVESTIGATE PRESIDENTIAL, VICE PRESIDENTIAL, AND SENATORIAL CAMPAIGN EXPENDITURES—LIMIT OF EXPENDITURES

Mr. GREEN submitted the following resolution (S. Res. 322), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the special committee authorized by Senate Resolution 263, Seventy-eighth Congress, to investigate the campaign expenditures of the various Presidential candidates, Vice Presidential candidates, and candidates for the United States Senate, and facts relating thereto, is authorized to expend from the contingent fund of the Senate \$40,000 in addition to the amounts heretofore authorized for the same purpose.

INVESTIGATION OF CONDITIONS AFFECTING THE HOG, CATTLE, POULTRY, AND DAIRY INDUSTRIES SITUATIONS

Mr. WHERRY. Mr. President, with further reference to Senate Resolution 309, submitted by me for myself and a number of other Senators on June 15 last, which asks for an investigation into the livestock and feeding and distribution operations, I present a letter written by Mr. Louis Kavan, of Omaha, Nebr., general secretary of the Federation of Nebraska Retailers, and ask unanimous consent that it be printed in the RECORD, together with a copy of the resolution to which I have referred.

There being no objection, Senate Resolution 309, as reported from the Committee on Agriculture and Forestry, and the letter were ordered to be printed in the RECORD, as follows:

Senate Resolution 309

Resolved, That a special committee of five Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation with a view to determining—

(1) the conditions prevailing in the production, processing, distribution, and market-

ing of livestock, livestock feed, poultry, eggs, milk, and the products thereof;

(2) the effect of regulations, orders, and directives issued by governmental agencies upon the production, processing, marketing, distribution, and supplies of such commodities;

(3) any practices wherein processors and distributors of such commodities are circumventing the purposes and objectives of price floors, price ceilings, and subsidies at the expense of the producers and the Public Treasury;

(4) reasons for the failures to support prices to producers as required by existing law;

(5) alleged adverse effects of maladjustments in maximum prices established on different grades of meat and particularly the extent to which livestock feeders have been penalized because of an inadequate allowance on the better grades of meat to encourage the feeding of livestock;

(6) alleged adverse effects upon the livestock, poultry, and dairy industries of the price and other policies relative to corn and other feed grains and the maladjustments resulting therefrom.

Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-eighth Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$10,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

FEDERATION OF NEBRASKA RETAILERS,
Omaha, Nebr., August 5, 1944.
Hon. KENNETH S. WHERRY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: It is a known fact that for the past several months large chain-food corporations have been taking over a number of slaughtering plants in various sections of the United States. While quota restrictions were in force, these chain-owned slaughtering plants were forced to comply with certain regulations as to distributing meat within the territories formerly supplied by the slaughtering plant when individually owned. Since quota restrictions have been taken off, these chain slaughtering plants have increased considerably the number of animals slaughtered, and in all probability are diverting most of the finished product to their own retail outlets. This in itself can create very serious conditions for the civilians living in the territories formerly supplied by privately owned slaughtering plants, and it can aid materially into the broadening of black markets.

The chains are placed into an advantageous position by owning their own slaughtering plants, as irrespective of the amount of losses, they at least will have a supply of meat for their retail stores. The greatest injustice, however, both to the livestock raiser and to the civilian is that these chain-owned and operated slaughtering plants are only interested in the better grade of animal. They will seek to purchase only animals that will

grade good or choice. They are not interested in canners and cutters, cows, and lower grades, therefore they place an added burden upon the large packers who, if they are to buy better grades of beef, are forced to bid a higher price in competition with the chain slaughterer. Livestock producers of this country are no doubt being penalized since the inception of chain slaughtering plants. On the other hand, if the large packers are forbidden, under the packers' consent decree, to own and operate retail outlets, then the same legal provision should be made to apply in the case of chain stores.

An immediate investigation should be made and measures taken to correct this unfair condition before the American farmer and civilians are forced to suffer unnecessarily.

Yours for victory,

LOUIS KAVAN, Secretary.

ADDITIONAL COPIES OF SERVICEMEN'S READJUSTMENT ACT OF 1944

The ACTING PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 94, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 55,000 additional copies of Public Law No. 346, current session, entitled "Servicemen's Readjustment Act of 1944," of which 45,000 copies shall be for the use of the House document room and 10,000 copies shall be for the use of the Senate document room.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the concurrent resolution.

The motion was agreed to.

APPRAISEMENT OF THE CHICAGO DEMOCRATIC CONVENTION—ADDRESS BY THE HONORABLE JOSEPHUS DANIELS

[Mr. HILL asked and obtained leave to have printed in the RECORD an address entitled "Appraisement of the Chicago Convention," delivered by the Honorable Josephus Daniels to the Kiwanis Club at Raleigh, N. C., on August 18, 1944, which appears in the Appendix.]

POST-WAR PROBLEMS—ADDRESS BY MAYOR LAGUARDIA

[Mr. HATCH asked and obtained leave to have printed in the RECORD a radio address on post-war problems delivered by Mayor LaGuardia, of New York, on August 13, 1944, which will appear hereafter in the Appendix.]

VOTES BY SENATOR THOMAS OF OKLAHOMA ON MAJOR BILLS AND OTHER MEASURES RELATING TO AGRICULTURE, LABOR, AND NATIONAL DEFENSE, AND ON VETOED BILLS

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a tabulation of the votes cast by him on major bills, resolutions, and amendments with respect to agriculture, labor, and national defense, and on vetoed bills, which appears in the Appendix.]

THE ELECTORAL COLLEGE—ARTICLE BY JUSTICE HOMER HOCH

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "Electing a President of the United States," by Justice Homer Hoch, of the Supreme Court of the State of Kansas, which appears in the Appendix.]

THE PROPOSED MISSOURI VALLEY AUTHORITY—EDITORIAL FROM THE ST. LOUIS POST-DISPATCH

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial entitled "M. V. A. Goes to the Senate," dealing

with the proposed Missouri Valley authority, published in the St. Louis Post-Dispatch of August 18, 1944, which appears in the Appendix.]

AN ANALYSIS OF THE 1944 REPUBLICAN PLATFORM BY JOHN B. ELLIOTT

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD a statement entitled "War Calls for Candor—Republican Platform Fails," by John B. Elliott, being an analysis of the 1944 Republican platform, which appears in the Appendix.]

THE DUMBARTON OAKS CONFERENCE AND THE MOVING PICTURE "WOODROW WILSON"

Mr. DOWNEY. Mr. President, when the George reconversion bill recently was passed by the Senate, I stated my opinion that it would prove woefully defective in meeting the impact of post-war readjustment. I am still of that opinion and I hope that before our economy has imposed upon it the stress and strain that must come from cessation of war production we will more wisely prepare for the dynamic age into which soon we will be engulfed.

But I think that one may turn from our present failure in the domestic field to the international arena with a feeling of high optimism and courage. Great events are in the making at the Dumbarton Oaks Conference, and a world that is sick of war and anarchy should find inspiring hope as the mighty dream of Woodrow Wilson for world security, peace, and justice is being forged into implemented reality. The Dumbarton Conference was called by the United States Government under the leadership and direction of Franklin Roosevelt and Cordell Hull; it fulfills the prophetic vision of Woodrow Wilson; it is the first formal move to carry out the Moscow Declaration which obligated the United States, Russia, Great Britain, and China to create "a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security."

The Senate of the United States by an almost unanimous vote has already endorsed the findings of the Moscow Conference, and I think we may safely assume will likewise approve the treaty that will develop out of it and through the present and succeeding conferences of the great and small nations.

It is difficult to think of the Dumbarton Oaks Conference—which today is earnestly seeking for the best kind of a league of nations—without thinking also of Woodrow Wilson, whose prophetic vision after the last war saw the vital need of one, and whose courageous heart and body were broken in his struggle to attain it.

I take some pride because one of the movie companies of my State—the Twentieth Century-Fox—has recently completed and released a mighty, historical film portraying the life of Woodrow Wilson. Some Army officials, seeing this production, were immediately convinced that it was propaganda of a political nature and hastily announced a ban against its showing at our military

camp. That ban, improperly and irregularly announced, was almost at once withdrawn, as there never was any justification for it.

So far as I have read what they have had to say, critics proclaim the picture Wilson not only great art and entertainment, but likewise historically true to an amazing degree. But it may well be that historical fact, sincerely and dramatically portrayed, may be the most persuasive of arguments moving us to energetic and determined action. Indeed, I think that is true of this epic film Wilson, and that almost everyone who sees it will leave the theater with a greater understanding of the profound vision of this great American President, and a stronger determination that the noble ideals and ideas for which he died shall now prevail.

I believe that when the victorious soldiers and sailors of the allies again return from distant seas and foreign battlefields they will find a world in which orderly rule is firmly entrenched to maintain peace and honor among all nations everywhere.

RIVER AND HARBOR IMPROVEMENTS AND FLOOD CONTROL

Mr. OVERTON. Mr. President, there are pending on the calendar two bills, House bill 3961 and House bill 4485, the first relating to river and harbor improvement legislation and the other to flood control. It was my privilege and honor to report both bills to the Senate from the Committee on Commerce. It has been my desire and it is still my desire to have both bills taken up as promptly as possible under all circumstances. Both bills have been acted upon by the House. Extensive hearings were held with respect to the river and harbor bill and also with respect to the flood-control bill in committee in the House, and the House passed both bills and sent them to the Senate.

When the bills came to the Senate they were referred to the Committee on Commerce, and were sent to a subcommittee of that committee, of which I have the honor to be chairman, and quite prolonged hearings were held with respect to both measures. The river and harbor bill was reported to the Senate on May 25, and the flood-control bill was reported to the Senate on June 22 of this year.

Mr. President, a number of Senators have from time to time asked me when the two bills were coming up for consideration. I am receiving numerous communications from individuals throughout the United States who are interested in both measures and who want to know when they are going to be disposed of. Representatives of the press call on me daily to ascertain at what time the bills will come before the Senate for consideration.

Mr. President, I realize that we shall shortly have before us important post-war legislation which we must dispose of. I refer to the bill dealing with the disposal of surplus property, which will be reported today, and I presume will come up for consideration tomorrow. I know that that bill necessarily will have precedence over the proposed river and

harbor and flood-control legislation. But the people generally throughout the United States are very much interested in the bills dealing with river and harbor improvements and flood control, and I desire, Mr. President, to ascertain from the able Senator from Alabama [Mr. HILL], who is representing the majority leader, and who, I presume, has consulted with the majority leader with reference to both bills, and from the able Senator from Maine [Mr. WHITE], the minority leader, their views concerning when the bills can be taken up and considered.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. As the Senator from Louisiana has well said, of course, the important bills which deal with making plans and preparations for the post-war period must be considered and disposed of first. As the Senator from Louisiana has intimated the Senate will very likely tomorrow take up the bill dealing with the disposition of surplus property. How long it will take the Senate to consider and finally act on that bill, of course, no one can prophesy. As we know, the House has taken an unusual length of time to consider the proposed legislation. Many amendments have been offered to the bill now pending in the House. So, as I have said, no one can tell how long it will take the Senate to act on the proposed legislation.

Then, of course, after the bill shall have been passed by the two Houses it will have to go to conference, and a conference report will have to be acted upon.

As the Senator from Louisiana knows, the George bill is now pending in the Ways and Means Committee of the other House. Of course, that bill will have to be finally disposed of.

I may say that I talked with the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY], a day or two before he was compelled to leave the city. As the Senator from Louisiana knows, there is no better friend of river and harbor improvements or flood-control development than the Senator from Kentucky. His whole record is one of consistent and enthusiastic support of such developments. But it was the thought of the Senator from Kentucky, when I last talked with him, that in view of the urgency of the post-war legislation and in view of the fact that there was at least one highly controversial matter involved in the river and harbor bill, a matter which might provoke long and protracted debate, he hardly thought it would be possible to take up that bill at the present time. It was the thought of the Senator from Kentucky that very likely both bills would have to go over until after November 7. Of course, the Senator from Louisiana is far more familiar than I am with the fact that there is a highly controversial issue involved in those bills, an issue which would be hard fought, long fought, and would cause protracted debate.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. McCLELLAN. I should like to inquire of the Senator from Alabama if it is contemplated that during the 2½ months which will elapse between now and November 7 the Senate will remain in session, or whether a long recess is anticipated. If we are to remain in session, I can see no justification for the postponement of these bills until after election. The proposed legislation is important. Last Friday, in discussing the proceedings of the National Rivers and Harbors Congress, I expressed my interest on the floor of the Senate. I am most anxious that this legislation be given consideration as soon as that having precedence over it by reason of its importance is out of the way.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. Let me say to the Senator from Arkansas that I share his desire for prompt action on those bills. I have a very deep interest in their passage.

Mr. McCLELLAN. I am sure the Senator has.

Mr. HILL. However, I believe it was the thought of the Senator from Kentucky that after disposing of the bills dealing with post-war matters, namely, the George bill and the surplus-property disposition bill, which the Senate will take up for consideration tomorrow, the Senate would perhaps then be in recess, unless something unforeseen should occur, or unless something urgent should be presented to the Senate for action. After disposing of the bills to which I have referred, I believe it was the thought of the Senator from Kentucky that the Senate would be in recess until after November 7.

Mr. McCLELLAN. If that is the program, and if that plan is to be followed, I, for one, would like to see those measures made a special order of business immediately following the reconvening of the Senate after November 7. River and harbor and flood-control legislation is imperative. The bills must not be permitted to die on the calendar. We are undertaking to enact bills providing huge funds for unemployment compensation. Our first duty is to provide employment; and if we fail in our duty to enact constructive measures which would be beneficial to the Nation, and which would develop our resources, then we must take the responsibility for having to provide what I should regard in many cases as unnecessary unemployment compensation—unnecessary because of our failure to meet our obligations to provide for public-works projects which would enhance the wealth of the Nation.

Mr. OVERTON. Mr. President, I find myself very much in accord with what the Senator from Arkansas has said. The point which he makes is very well taken. We are undertaking to provide employment in the post-war period. Both the measures to which I refer provide for employment in connection with river and harbor and flood-control projects, even before the cessation of hostilities, under certain circumstances with which Senators who have read the bills are familiar. It is not necessary for me to go into them.

It has been said that there is one controversial item in the bills. There are two or three controversial items. In view of that fact, I think it is very important that a day certain be set, if possible, for the Senate to proceed to the consideration of the bills.

I realize the situation in which the able Senator from Alabama and the distinguished Senator from Kentucky, the majority leader, find themselves. Realizing what the situation is, I do not feel that I could successfully oppose the suggestion to take up both bills after November 7; but if possible I should like to have a day fixed for their consideration.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. I find myself very much in accord with the sentiment expressed by the Senator from Arkansas and the Senator from Louisiana, namely, that these bills must not be permitted to die on the calendar. They must be acted upon by the Senate, with final action by the Congress during the present session of Congress.

The Senator from Kentucky will undoubtedly return to the city shortly. The Senate will be in session, considering the war property disposal bill and the George bill, for some days to come. I think it is very probable that the Senator from Louisiana and the Senator from Arkansas can reach some understanding with the Senator from Kentucky to fix a day certain for the consideration of those bills.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WHITE. The Senator from Louisiana was good enough to express an interest in my view about the situation, and I am very glad to state my present view.

I believe that for the immediate present the situation is substantially as the Senator from Alabama has stated. We have pending two measures of great importance having to do with reconversion and post-war problems. One is pending before a Senate committee and will soon be reported to the Senate. The other is pending in a committee of the House and I am advised that it will be reported to the House in a very short time, perhaps within 2 or 3 days. If my judgment about the situation is good, I think it will be at least 2 weeks before the two measures to which I have referred, which have to do with the post-war period, are ultimately disposed of. In my view it would be quite impossible to deal with the river and harbor bill, the flood control bill, or the highway bill within that time. I believe that we should wait until the pending legislation is out of the way before we undertake to come to any conclusions about new legislation.

There is some question as to whether these subject matters ought to be dealt with separately, or whether, instead, there should be an over-all public works program which would embody the various proposals for flood control, highways, and river and harbor improvements, and possibly other opportunities to provide work to those who may need work in the post-war days. Some Senators have

that view about the matter. I am not sure that they are not correct. But certainly the river and harbor bill and the flood control bill have in them much of a controversial nature. We cannot take up those measures immediately. When the immediate pressure is released, and when we shall have disposed of the pending post-war problems so far as legislation can dispose of them, I expect that we shall have a very meager attendance in this body, and perhaps no attendance at all in the other body until the election is out of the way.

So if I may presume to offer advice, it is that the matter be allowed to remain as it now is until we shall have reconvened after the election. We can then determine, in the light of the circumstances at that time, what ought to be done about those measures.

Mr. OVERTON. Mr. President, I feel some concern over the statement made by the Senator from Maine. He indicates that probably we ought to allow the river and harbor bill and the flood-control bill, which have been on the calendar for some time, to go over until legislation can be prepared in reference to other public works and improvements, so that the various subjects may be taken up either in one grand and glorious bill, or considered one after the other. Both these bills are ready for action.

Mr. WHITE. I stated I believed there was a substantial view of that sort in this body.

Mr. OVERTON. I do not wish for a moment to appear to lend any countenance to that view, because I think it is wholly fallacious.

Mr. CONNALLY and Mr. VANDENBERG addressed the chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Louisiana yield, and if so, to whom?

Mr. OVERTON. I yield first to the Senator from Texas.

Mr. CONNALLY. Mr. President, I congratulate the Senator from Louisiana on his anxiety and his efforts to obtain consideration for these bills. I realize the difficulties suggested by the Senator from Alabama; but it seems to me that these bills ought not to be deferred or sidetracked until some more comprehensive public-works bill, as suggested by the Senator from Maine, may be brought forth. There is an element of public employment involved in both measures. The bills have been well considered. My State is deeply interested in both of them. I hope the Senator from Louisiana may be successful in obtaining as early consideration as possible under the circumstances. I merely wish to reenforce what he has said.

Mr. OVERTON. I thank the Senator. I now yield to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, the Senator well knows that in discussing this question we confront a condition, and not a theory. One of the controversies involved in the river and harbor bill, the Missouri Valley controversy, monopolized the attention of his own committee for 2 or 3 weeks, almost day and night. I anticipate that it will be

equally monopolizing when it reaches the attention of the Senate.

Mr. OVERTON. I hope not.

Mr. VANDENBERG. In addition, the Senator from Vermont [Mr. AIKEN] has given notice that he intends to attach the St. Lawrence seaway project to the river and harbor bill. I do not need to remind Senators that that would require at least a day or two of discussion.

Under the circumstances, it seems to me that the Senator must find 5 or 6 clear weeks before he can hope to have his river and harbor bill reach a conclusion, unless the Missouri River problem and the Central Valley problem in California can be compromised on some amicable basis before we begin.

There are many things in the river and harbor bill which I cordially agree ought to be acted upon. There are other things in the river and harbor bill which, in my opinion, ought to be thrown out the window. But in striving to anticipate a program, I respectfully suggest to the Senator that as things now stand, it will be exceedingly difficult to reach a conclusion in respect to the river and harbor bill unless there is a very substantial amount of time available for discussion.

Mr. OVERTON. I thank the Senator for reenforcing my argument. The sooner we get to both bills, the better it will be, for the reasons he stated.

I promised to yield to the Senator from Ohio [Mr. BURTON]. I am very glad to yield to him. He has been a very helpful and industrious member of the subcommittee which attended the hearings, and was in daily attendance and gave very careful thought to every project in the bill. I now yield to him.

Mr. BURTON. Mr. President, it is as a member of the subcommittee that I wish to say just a word, because it seems to me that here we have two well-thought-out programs for post-war work. There is no question that in both bills there is a great volume of instances with respect to which the engineers have approved and worked out programs which will be of constructive value to the Nation. Under those circumstances it would be tragic if there were delay in approving this valuable program, and if we were to go ahead with something less valuable. It would be even more tragic if we failed entirely to adopt any program of river and harbor improvement and flood control. Therefore, I am in entire agreement with the Senator from Louisiana in urging the earliest possible consideration of both these bills, and as separate bills.

It seems to me that while there are controversies as to the rivers and harbors bill, they relate only to particular projects in it. It will not take long to dispose of that particular bill.

As to the flood-control bill, I believe it will take considerable time to dispose of it unless some compromise can be reached on the Missouri River project. But I believe the intervening time can well be spent in attempting to reach agreement on that.

Therefore, I hope it will be possible to work out an agreement as to the time when these two important bills can be

considered and acted upon. I agree that a definite date should be set down for bringing up the river and harbor bill first, if possible, because I believe these national projects should be approved, and that the projects should be ready to be put into operation at the earliest possible date when they shall be needed. There are so many projects which are not worth spending money on that it seems to me these projects, which have the benefit of approval by the Army engineers and which have been favorably acted upon by the House, and are ready for action by the Senate, should be promptly acted on by the Senate. The Senate should not be the body which fails to provide for valuable and desirable post-war projects of that kind.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. GURNEY. The Senator from Louisiana has correctly stated my view. Coming from the Missouri River region, as I do, I know that the people there are interested in both the river and harbor bill and the flood-control bill, as is evidenced by a resolution adopted by the Governors of nine States, in meeting at Omaha, Nebr., on August 5 and 6. With the Senator's permission, I should like to ask unanimous consent to have printed in the RECORD at this point the resolution adopted by the Governors of the Missouri River States.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF THE MISSOURI RIVER STATES COMMITTEE TO SECURE A BASIN-WIDE DEVELOPMENT PLAN

We, the Governors of the States in the Missouri River Basin, namely: Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, Iowa, and Missouri, and the members of the Missouri River States Committee, meeting at Omaha, Nebr., on August 5 and 6, 1944, after hearing and conferring with representatives of various Federal agencies, including the United States Army Engineer Corps and the United States Bureau of Reclamation, do now firmly and earnestly petition the President and Congress of the United States to give force and effect to the following conclusions:

1. That in dealing with matters relating to the waters of the Missouri River Basin it be recognized that we are dealing with one river and one problem.

2. That in approaching that problem and in order to serve all the people of the basin to the maximum possible degree and to safeguard their present established rights and their future development and prosperity, there can be no piecemeal legislative program.

3. That there must be an over-all comprehensive plan and suitable legislation adopted by the Congress of the United States which will accomplish that purpose.

4. That the omnibus flood-control bill, insofar as it deals with the Missouri River, furnishes the framework for flood control and related purposes.

5. That authorization of the Bureau of Reclamation plan now before Congress and embodied in the Senate Document 191, Seventy-eighth Congress, second session, is necessary to a comprehensive development of the Missouri River Basin.

6. That those provisions of the Rivers and Harbors omnibus bill which relate to navigation on the Missouri River below Sioux City, Iowa, vitally affect the economic life and plans for future development of the entire Missouri River Basin.

7. That to develop the basin fully and for the greatest benefit of its citizens, both present and future, and for the greatest benefit to the United States of America, the Congress of the United States should recognize now the problem in its entirety as it affects the people of the Missouri Basin and their economic destiny and that of the United States of America.

8. That in order to accomplish this unity of purpose and action we ask the President and the Congress of the United States to authorize and direct the United States Army engineers and the United States Bureau of Reclamation to bring before the Congress a coordinated plan, based on the proposed legislation and official documents heretofore mentioned which will make possible the authorization by the Congress, now, of the Missouri River basin development program in its entirety by such amendments to legislation now pending as are feasible from the standpoint of legislative procedures.

The foregoing was unanimously adopted by the States of Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, Kansas, and Missouri. The representatives of the State of Iowa being absent at the time, the vote of that State was not recorded.

Thereupon the meeting considered the following statement:

Nothing done in the interests of flood control or navigation shall adversely affect the use of water for irrigation west of the ninety-seventh meridian.

This statement was agreed to by the States of Colorado, Wyoming, Montana, North Dakota, South Dakota, Nebraska, and Kansas. The representatives of the State of Iowa being absent, the vote of that State was not recorded. The State of Missouri being present and represented did not choose to join in the last-mentioned statement.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WHERRY. I should also like to commend the Senator from Louisiana for his interest in the matter of having both these bills taken up for early consideration. I endorse what he said; and because I come from a section of the country which is vitally interested in both bills, I, too, should like to have a definite date set, if possible, for their consideration.

Mr. OVERTON. Mr. President, I should like to suggest to the acting majority leader, the junior Senator from Alabama [Mr. HILL], that we might tentatively agree on some date in November. I assure him that if on account of much more pressing legislation those bills could not be taken up then, I should be very glad indeed to cooperate, as I have always endeavored to do. But the people of my State and a number of Senators—in fact, practically all of them—are very anxious to know definitely, if they can, when this proposed legislation will be considered.

Mr. HILL. Mr. President, I will say to the Senator that if he will be patient for a day or two, I am quite certain the distinguished majority leader, the Senator from Kentucky, will be back, and at that time I will be glad to join with him in an effort to make certain that these bills are passed during this session

of Congress, and that final congressional action is taken on them, so that they may become law during the present session. I shall be glad to join with the Senator in that effort.

Mr. OVERTON. I thank the Senator.
INTERNATIONAL PEACE MACHINERY—
THE DUMBARTON OAKS CONFERENCE

Mr. CONNALLY. Mr. President, on yesterday there convened at Washington, at Dumbarton Oaks, a notable international conference. Representatives of the United States, Russia, and Great Britain have met in what may be called exploratory conversations respecting the structure of international peace machinery to effect what we hope will affect all the nations of the earth, the great nations as well as the small ones.

Mr. President, it is somewhat difficult to realize the tremendous significance of such a meeting. Personally, I think we stand at the crossroads. I think the outcome of this conference will mean either that we shall go forward in the establishment of peace machinery or that we shall miserably fail in one of the greatest undertakings with which the Nation has ever been confronted.

The story of the efforts of the United States toward world peace afford an interesting background of what is now presented. Recently I have been reading about the establishment of what was known as the League to Enforce Peace, which antedated the World War. Some of the most notable men in the United States took part in the establishment of that organization. It did a great deal toward crystallizing public sentiment and stimulating thought along the lines of what was called an enforced peace.

I shall not dwell upon the transactions of 1919 and 1920. I believe that all the world has now come to the conclusion that unless we are to look forward in the next generation to another world war, brought on by ambition, resentment, anger, and hatred, perhaps on the part of those who may be conquered in the pending war—unless we wish to look forward to that kind of eventuality it behooves the people of the United States and of all the world, for that matter, wholeheartedly to join in the effort to create, establish, and maintain international peace machinery.

Mr. President, we cannot, of course, hope to create an agency which will be pleasing to everyone in all its details. Some will take exception to this, that, or the other. That would not be unnatural. When the Constitution of the United States was established there was disagreement over some of its provisions. There were notable contests in the conventions of several States over the ratification or nonratification of the product of the Convention of 1787. I recall that in the Virginia convention great figures like Patrick Henry, George Mason, and others resisted ratification, and it was finally achieved by a margin of only 10 votes. The same situation prevailed in the conventions of some of the other States.

So, Mr. President, as we approach the work of the present conference which, in the course of due time, will be followed

by another conference on a higher level, I hope the people of the United States, and particularly Members of the Senate and of the House of Representatives, will work together in peace and in unity, looking forward to the larger concept of the organization.

As chairman of the Committee on Foreign Relations I wish to pay my sincere tribute to the Republican members of the committee for their approach to the present problem. There was no evidence of partisanship in the work which they have done. There was no evidence of pettifoggery. There was no disposition to inject matters of factional or partisan consideration.

The subcommittee of the Committee on Foreign Relations was composed of the chairman, the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Kentucky [Mr. BARKLEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Maine [Mr. WHITE]. I am deeply grateful to each member for their patriotic and arduous labors in conference with the Secretary of State and in committee. I particularly wish to express my sense of gratitude to the Senators who represented the minority on the subcommittee of the Committee on Foreign Relations. For approximately 6 months they labored in framing and presenting to the Senate the resolution which was adopted by the Senate on November 5, 1943. Irrespective of party affiliations, that resolution has met with widespread approval throughout the United States. It does not, of course, undertake to go into all the details, activities, and aspects of the proposed organization, but in a large way it lays before the people of the United States and of the world the basic structure and considerations which such an organization should embrace.

I wish also to pay my respects to those Republicans who in the Mackinac resolution at an early date labored well and handsomely toward creating what, according to their minds, was a workable and satisfactory structure of a peace organization.

Mr. President, I wish also to express my deep sense of gratitude to the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Michigan [Mr. VANDENBERG], and the minority leader, the Senator from Maine [Mr. WHITE]. They were members of the subcommittee to which I have made reference, and they labored long and arduously. The Senator from Vermont [Mr. AUSTIN] also participated in conferences with the Secretary of State. He is now a useful member of the committee.

In addition to the work which was performed in the Committee on Foreign Relations and in the subcommittee of the Committee on Foreign Relations, almost weekly during a period of nearly a year we consulted with the Secretary of State in regard to the approaching difficulties which were to be presented. In all those conferences there was no partisanship; there was no effort to obtain a partisan advantage; and there

was no effort to waylay and attack from the flank anything which we were undertaking to do.

So, Mr. President, I hope that the spirit which I have attempted to describe may continue. I am sure that it will continue.

I wish to express my sense of appreciation to the authors of the original so-called B.H. resolution, Senate Resolution 114. I wish particularly to pay my sincere appreciation to those Senators because I realize their sincerity and their earnestness. While the subcommittee did not wholly agree with the resolution in its essential details, it did agree with the great objective which the sponsors of the resolution had in mind. There was no difference in the ambition of any of us to bring about one great concrete result, namely, the creation of an instrumentality by which questions could be tested not by swords and cannon, but by logic and reason. In the event a decision were to be made that there must be no aggression by those who would seek by force of arms and might to overrun their peaceful neighbors, it was intended that an organization should be created which would have sufficient power and force to prevent the conditions against which we were inveighing.

I believe that by now practically all elements of our people have arrived at the opinion that an international organization must be endowed with a sufficient armed force—naval and military—to prevent the occurrences which have resulted in this terrible and tragic war.

Mr. President, the three great countries which, through their representatives, are now holding conferences have, of course, been in conference over a considerable period of time by personal contact as well as by correspondence. It is very gratifying to witness the fine spirit which seems to actuate them at the present moment. A little later representatives of China will be called into conference. After the preliminary conversations shall have come to an end a conference on a higher level will be convened, and in due time representatives of all the people of the nations of the world, however small their territories may be, however weak their arms may be, will be called into conference in order that the small nations shall have a voice and a representation in the peace machinery. After all, Mr. President, the small and weak nations are the ones which will receive the greatest benefits from such an organization as the one being proposed. As a rule they are more often attacked by the more powerful, the more aggressive, and those who are ambitious to achieve military mastery, than are the great and strong powers.

Mr. President, in the liquidation of this war after it shall have come to an end it will not be practicable immediately to conclude a treaty of peace. Pending a definite treaty of peace it may be necessary for the four great powers participating on the Allied side to maintain contact and concert of action in bringing about control and supervision in enemy countries. We cannot permit chaos and anarchy to break out in any of the countries which have been overrun and occupied. We cannot permit those con-

ditions to obtain even in the enemy countries. So far as the war itself is concerned the great powers must continue to act in harmony. It does not follow, however, as a result that the permanent peace structure which we hope to set up will in any way be modified.

Mr. President, I am sure that Secretary Hull and those associated with him in this enterprise welcome conferences with any one who has a thought to suggest and who will come to them in a spirit of helpfulness and cooperation. I am sure that that is their attitude. It is the attitude of our Committee on Foreign Relations and its subcommittee. We want suggestions from any source, provided they come in a spirit of helpfulness and not in one of enmity and a determination to obstruct the processes of the conference.

So the prospects of the conference's successful outcome are very propitious, indeed. There seems to prevail a spirit of cooperation, of good will, and a desire to unite in the creation of the peace structure.

Mr. President, I do not think, however, that our people should be led to the conclusion that this war is already over, because it is not. While reports from the battlefields of Europe have been very impressive and inspiring, while they have offered much hope of an early termination of the war, we cannot afford to relax one inch; we cannot let anything cause us to recede from the aggressive militant spirit that will be required to win this war. We hope in due course, however, to establish an agency which will offer hope to the peoples of the earth, which will offer hope to the small and the weak nations, which will offer hope to the nations who entertain peaceful ambitions, and will offer condemnation to nations that entertain visions of conquest of their neighbors or the overrunning of the world and the establishment of military monarchies.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Ohio.

Mr. TAFT. The Senator is chairman of a committee of the House and Senate, I think, which has been conferring with Secretary Hull regarding the general character of the post-war peace organization?

Mr. CONNALLY. I will say to the Senator that I am not chairman of the joint committee. I am chairman of the Foreign Relations Committee of the Senate, but groups from both House and the Senate for over a considerable period have conferred with Secretary Hull.

Mr. TAFT. I was only interested to know whether that committee is sitting in on the Dumbarton Oaks Conference or whether they are keeping in touch with it or keeping advised of it, or what the status is. What is the relation of the committee created by Congress with the present Dumbarton Oaks Conference?

Mr. CONNALLY. The present conference does not include members of the Committee on Foreign Relations of the Senate or of the House of Representatives. The present group is more of a

meeting of technicians concerned with the physical integration of what the larger policy that is indicated to them might be. However, I shall say to the Senator from Ohio that I have had up with the Secretary of State the matter of our being kept informed, and I have assurances that daily, if necessary, and from time to time the Committee on Foreign Relations will be kept advised of the progress of these negotiations and of any matter of sufficient importance to attract the attention of the committee. Does that answer the Senator?

Mr. TAFT. Yes. In a way, then, the committee is on a higher level than those who are conferring; and when the conference reaches a higher level, then the committee of the Senate will participate.

Mr. CONNALLY. I do not know that that is true. The Senator is aware of the fact, of course, that in the United States the custom has always been for the Executive to handle the negotiations and that the matters were simply submitted to the Senate at a later time. I wish to say to the Senator that Mr. Hull and his associates have not taken that position. They have evidenced a desire to have the cooperation of and to cooperate with the Senate, and while we perhaps may not be members even of the higher level, it might overbalance the representation from other countries if that happened—we will be kept advised; we will have access to the Secretary of State, and, if necessary, to other functionaries connected with the matter. I have no fear that there will be any sort of ignoring of the Committee on Foreign Relations.

Mr. VANDENBERG. Mr. President, may I say a word at that point?

Mr. CONNALLY. I yield to the Senator from Michigan.

Mr. VANDENBERG. I think I owe it to the Secretary of State to add at this point that he personally communicated with me, representing the minority group of the special committee, and personally placed at my disposal any information I may seek at any time regarding any phase of the Dumbarton Oaks conference.

Mr. CONNALLY. I shall say to the Senator from Ohio supplementing what the Senator from Michigan has said, that he called the subcommittee into conference and handed each one of its members a complete draft of what was in his mind as to the general structure of the peace organization. It was confidential; it was not given to the public; but I simply cite that fact to show the evidence of entire willingness to keep the Senate advised and to take us into confidence.

Mr. TAFT. I was only interested in determining what the exact status was.

While I am on my feet, however, I should like to ask the Senator one other question. I was somewhat alarmed to read in the New York Times of Friday, August 18, what purports to be an interview with our Ambassador, Mr. W. Averell Harriman. There he is cited by a Polish newspaper in regard to a conference held with the Polish committee

which was set up under the auspices of the Russian Government. I quote from the article:

It cites Mr. Harriman's declaration to the Polish National Council's representatives that the "alliance between the United States of America and the United Soviet Socialist Republics is firm and is expected to endure for decades."

I wonder if the Senator could tell me whether there is any such alliance or whether that is a misquotation of the Ambassador's statement.

Mr. CONNALLY. I think that is a rhetorical flourish on the part of the Ambassador.

Mr. TAFT. The Senator thinks there is no alliance?

Mr. CONNALLY. There is no alliance in the sense of any treaty or any binding commitment. I think what he means there is that as a result of this war our relations have been drawn much more closely together and that the unity and harmony to wind up the war and to liquidate it will probably be extended to the future.

Mr. TAFT. The Senator feels confident that there is no alliance of any kind, secret or otherwise?

Mr. CONNALLY. We have the assurance from the highest possible sources that there were no commitments whatever made at Moscow, Tehran, Cairo, or Casablanca that will be binding on this Government.

Mr. HATCH. Mr. President, will the Senator yield for a moment?

Mr. CONNALLY. I yield.

Mr. HATCH. I have been very much interested in what the Senator has had to say with regard to the relations of the Secretary of State with the committees of Congress on this all-important and vital subject because I think that relationship itself may well spell the success or failure of any plan; and, from what I have heard said here, I take it that the attitude of the Secretary of State is not one of ignoring the Congress, but, on the other hand, there may be said to be a sincere attitude of complete cooperation with the appropriate committees of the Congress. Is that correct?

Mr. CONNALLY. I think the Senator has stated it accurately.

Mr. PEPPER. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Florida?

Mr. CONNALLY. I yield.

Mr. PEPPER. I have been one of those who have heard from time to time with great interest and appreciation the statements which have been made on the floor by the able chairman of the Foreign Relations Committee [Mr. CONNALLY], and I have heard with approval his generous references to the attitude of Senators on the other side of the aisle. However, the inquiry which was made a moment ago by the able Senator from Ohio [Mr. TAFT] and the history of this body in respect to international agreements leads one to be concerned as to whether or not before we come to the point of decision on these matters we have perfected the machinery and the

IN THE SENATE OF THE UNITED STATES

AUGUST 28 (legislative day, AUGUST 15), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. MEAD to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 38, after line 20, insert the following:

- 1 Buffalo Creek and tributaries, New York, for flood con-
- 2 trol and with a view to providing a source of domestic water
- 3 supply for Lockport and other communities.

8-28-44—A

AMENDMENT

Intended to be proposed by Mr. Mead to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

August 28 (legislative day, August 15), 1944

Ordered to lie on the table and to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. AIKEN to the bill (H. R. 4485)
authorizing the construction of certain public works on rivers
and harbors for flood control, and for other purposes, viz:

- 1 On page 10, lines 4 and 5, strike out "a high dam at
- 2 the Williamsville site" and insert in lieu thereof "a dam on
- 3 the main stream of the West River in the towns of Dum-
- 4 merston or Newfane in the State of Vermont".

AMENDMENT

Intended to be proposed by Mr. Aiken to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

SEPTEMBER 8 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

supra, which was ordered to lie on the table and to be printed.

RIVER AND HARBOR FLOOD-CONTROL WORKS—AMENDMENT

Mr. AIKEN. Mr. President, I ask consent to submit an amendment which I intend to propose to House bill 4485 authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and ask to have it printed.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be received, lie on the table, and be printed.

Mr. AIKEN. Mr. President, the amendment would eliminate from the bill authorization for the construction of a dam near the mouth of the West River in Vermont. I wish it to be understood that in submitting the amendment I am not expressing opposition to the flood-control bill as a whole or to the general program of flood control. In the case of the dam proposed for the West River, however, in my opinion the amount of benefit derived would be far exceeded by the damage caused by the destruction of one of New England's finest and potentially richest valleys. It is most unfortunate that there is insistence upon this particular dam when by constructing three or four smaller dams the same amount of protection could be afforded the people living in the Connecticut Valley, and also protection for the people living in the West River Valley itself.

I wish to say further that when the flood-control bill is taken up for action I shall oppose the committee amendment on page 10, which reads as follows:

Provided, further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Undoubtedly there may be constructed some dams from which the development of electric power will not be warranted, but at other dams power may be developed for the benefit of the communities where they are located. I feel that we should not include in any flood-control program a rigid restriction against the development of power.

INFANTILE PARALYSIS AND ENCEPHALITIS—AMENDMENT

Mr. LANGER. Mr. President, I ask consent to submit an amendment in the nature of a substitute, which I intend to propose to Senate Joint Resolution 147, which I introduced last week, to provide for the general welfare by investigations into the causes and cures of infantile paralysis and encephalitis.

I may state briefly that of the \$10,000,000 proposed to be appropriated by the joint resolution the amendment would provide that \$1,000,000 shall be used for the establishment in the District of Columbia of an infantile paralysis clinic to be operated by Sister Elizabeth Kenny under the supervision of the Surgeon General of the Public Health Service.

My whole idea is, Mr. President, that all the forces that are now combating infantile paralysis shall be united in one strong unified fight against infantile paralysis and encephalitis.

The ACTING PRESIDENT pro tempore. Without objection, the amendment submitted by the Senator from North Dakota will be received, referred to the Committee on Education and Labor, and printed.

TWENTY-THIRD ANNUAL REPORT OF BOARD OF ACTUARIES OF THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND (S. DOC. NO. 233)

The ACTING PRESIDENT pro tempore. In his capacity as a Senator, the present occupant of the chair, on behalf of the Senator from California [Mr. DOWNEY], asks unanimous consent that the report of the Board of Actuaries of the Civil Service Commission transmitted to the Senate on August 15, 1944, be printed as a Senate document. The Chair understands it has been the custom to print such reports when received. Is there objection?

There being no objection, the report was ordered to be printed as a Senate document.

REMOVAL OF BAN OF SECRECY FROM DOUBLE TAXATION CONVENTION WITH CANADA

Mr. CONNALLY. Mr. President, I ask unanimous consent, as in executive session, that the ban of secrecy be removed from Executive G, Seventy-eighth Congress, second session, a convention between the United States of America and Canada for the avoidance of double taxation and the prevention of fiscal evasion in the case of estate taxes and succession duties, signed in Ottawa on June 8, 1944.

The ACTING PRESIDENT pro tempore. Without objection, and, as in executive session, it is so ordered.

The convention was made public, as follows:

The Government of the United States of America and the Government of Canada, being desirous of avoiding double taxation and of preventing fiscal evasion in the case of estate taxes and succession duties, have decided to conclude a Convention and for that purpose have appointed as their Plenipotentiaries:

Ray Atherton, Ambassador Extraordinary and Plenipotentiary of the United States of America at Ottawa, for the United States of America; and

W. L. Mackenzie King, Secretary of State for External Affairs, and Colin W. G. Gibson, Minister of National Revenue, for Canada. Who, having communicated to one another their full powers found in good and due form, have agreed upon the following Articles:

ARTICLE I

1. The taxes referred to in this Convention are:

(a) for the United States of America; the Federal estate taxes;

(b) for Canada; the taxes imposed under the Dominion Succession Duty Act.

2. In the event of appreciable changes in the fiscal laws of either contracting State, the competent authorities of the contracting States will consult together.

ARTICLE II

1. Real property situated in Canada shall be exempt from the application of the taxes imposed by the United States of America.

2. Real property situated in the United States of America shall be exempt from the application of the taxes imposed by Canada.

3. The question whether rights relating to or secured by real property are to be consid-

ered as real property for the purposes of this Convention shall be determined in accordance with the laws of the contracting State imposing the tax.

ARTICLE III

1. Shares in a corporation organized in or under the laws of the United States of America, of any of the states or territories of the United States of America, or of the District of Columbia, shall be deemed to be property situated within the United States of America.

2. Shares in a corporation organized in or under the laws of Canada, or of any of the provinces or territories of Canada, shall be deemed to be property situated within Canada.

3. This Article shall not be construed as limiting the liability of the estate of any person not domiciled in Canada or of any citizen of the United States of America, under the estate tax laws of the United States of America.

ARTICLE IV

1. The situs of property shall be determined in accordance with the laws of the contracting State imposing the tax, except as otherwise provided in this Convention.

2. Allowance for debts shall be determined in accordance with the laws of the contracting State imposing the tax.

3. Domicile shall be determined in accordance with the laws of the contracting State imposing the tax.

ARTICLE V

1. In the case of a decedent who at the time of his death was a citizen of, or domiciled in, the United States of America, the United States of America may include in the gross estate any property (other than real property) situated in Canada as though this Convention had not come into effect.

2. In the case of a decedent (other than a citizen of the United States of America) who at the time of his death was domiciled in Canada, the United States of America shall, in imposing the taxes to which this Convention relates:

(a) take into account only property situated in the United States of America; and

(b) allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death a citizen of, or domiciled in, the United States of America as the value of the property of such decedent situated in the United States of America bears to the value of the property included in the entire gross estate of the decedent.

3. In the case of a decedent who at the time of his death was domiciled in Canada, Canada may include in the gross estate any property (other than real property) situated in the United States of America as though this Convention had not come into effect.

4. In the case of a decedent who at the time of his death was domiciled in the United States of America, Canada shall, in imposing the taxes to which this Convention relates:

(a) take into account only property situated in Canada; and

(b) allow as an exemption an amount which bears the same ratio to the personal exemption allowed in the case of a decedent who was at the time of his death domiciled in Canada as the value of the property of such decedent situated in Canada bears to the entire value of the property, wherever situated.

ARTICLE VI

1. In the case of a decedent who at the time of his death was a citizen of or domiciled in the United States of America, the United States of America shall impose the estate taxes to which this Convention relates upon the following conditions:

(a) In respect of property situated in Canada which, for the purpose of estate taxes,

is included in the gross estate, less such property as is specifically deducted therefrom (either because of transfer for public, charitable, educational, religious or similar uses or because the property has been previously taxed under provisions of law relating to property previously taxed), there shall be allowed against the estate taxes a credit for Canadian succession taxes in respect of the property situated in Canada, the situs of such property being determined in accordance with the laws of Canada, subject to the provisions of this Convention.

(b) The portion of the Canadian succession taxes to be allowed as a credit against United States estate taxes shall be an amount which bears the same ratio to the total Canadian succession taxes as the value of the property situated in Canada and with respect to which estate taxes are imposed by the United States of America bears to the total value of the property with respect to which succession taxes are imposed by Canada.

(c) The credit in any such case shall not exceed an amount which bears the same ratio to such estate taxes, computed without the credit provided for herein, as the value of the property situated in Canada and not excluded or deducted from the gross estate as provided in (a) bears to the value of the entire gross estate.

(d) The values referred to in (c) are the values determined by the United States of America for the purpose of estate taxes.

(e) The credit provided for herein shall apply after the application of section 813 (b) of the Internal Revenue Code, as amended by the Revenue Act of 1942.

2. In the case of a decedent who at the time of his death was domiciled in Canada, Canada shall impose the succession taxes to which this Convention relates upon the following conditions:

(a) In respect of property situated in the United States of America which, for the purpose of succession taxes, is included in the gross estate, less such property as is specifically deducted therefrom (because of transfer for charitable, educational, religious or similar uses), there shall be allowed against the succession taxes a credit for United States estate taxes in respect of the property situated in the United States of America, the situs of such property being determined in accordance with the laws of the United States of America, subject to the provisions of this Convention.

(b) The portion of the United States estate taxes to be allowed as a credit against Canadian succession taxes shall be an amount which bears the same ratio to the total United States estate taxes as the value of the property situated in the United States of America and with respect to which succession taxes are imposed by Canada bears to the total value of the property with respect to which estate taxes are imposed by the United States of America.

(c) The credit in any such case shall not exceed an amount which bears the same ratio to such succession taxes, computed without the credit provided for herein, as the value of the property situated in the United States of America and not excluded or deducted from the gross estate as provided in (a) bears to the entire value of the property, wherever situated.

(d) The values referred to in (c) are the values determined by Canada for the purpose of succession taxes.

3. (a) The credit referred to in this Article may be allowed by the United States of America if claim therefor is filed within the periods provided in section 813 (b) of the Internal Revenue Code, as amended.

(b) The credit referred to in this Article may be allowed by Canada if claim therefor is filed within the period provided by subsection 4 of section 35 of the Dominion Succession Duty Act relating to refund of overpayment.

(c) A refund based on the credit may be made if a claim therefor is filed within the respective periods above provided.

(d) Any refund based on the provisions of this Article or any other provisions of this Convention shall be made without interest.

ARTICLE VII

1. With a view to the prevention of fiscal evasion each of the contracting States undertakes to furnish to the other contracting State as provided in the succeeding Articles of this Convention, the information which its competent authorities have at their disposal or are in a position to obtain under its revenue laws in so far as such information may be of use to the authorities of the other contracting State in the assessment of the taxes to which this Convention relates.

2. The information to be furnished under this Article, whether in the ordinary course or on request, may be exchanged directly between the competent authorities of the two contracting States.

ARTICLE VIII

1. The Commissioner shall notify the Minister as soon as practicable when the Commissioner ascertains that in the case of:

(a) a decedent, any part of whose estate is subject to the Federal estate tax laws, there is property of such decedent situated in Canada;

(b) a decedent domiciled in Canada, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America.

2. The Minister shall notify the Commissioner as soon as practicable when the Minister ascertains that in the case of:

(a) a decedent, any part of whose estate is subject to the Dominion Succession Duty Act, there is property of such decedent situated in the United States of America;

(b) a decedent domiciled in the United States of America, any part of whose estate is subjected to the Federal estate tax laws, there is property of such decedent situated in Canada.

ARTICLE IX

1. If the Minister deems it necessary to obtain the cooperation of the Commissioner in determination of the succession tax liability of any person, the Commissioner may, upon request, furnish the Minister such information bearing upon the matter as the Commissioner is entitled to obtain under the revenue laws of the United States of America.

2. If the Commissioner deems it necessary to obtain the cooperation of the Minister in the determination of the estate tax liability of any person, the Minister may, upon request, furnish the Commissioner such information bearing upon the matter as the Minister is entitled to obtain under the revenue laws of Canada.

ARTICLE X

The competent authorities of the contracting States may:

(a) prescribe regulations to carry into effect this Convention within the respective States and rules with respect to the exchange of information;

(b) if doubt arises, settle questions of interpretation or application of this Convention by mutual agreement;

(c) communicate with each other directly for the purpose of giving effect to the provisions of this Convention.

ARTICLE XI

If any fiduciary or beneficiary can show that double taxation has resulted or may result in respect of the taxes to which this Convention relates, such fiduciary or beneficiary shall be entitled to lodge a claim or protest with the State of citizenship or domicile of such fiduciary or beneficiary, or, if a corporation or other entity, with the State in which created or organized. If the claim or

protest should be deemed worthy of consideration, the competent authority of such State may consult with the competent authority of the other State to determine whether the alleged double taxation exists or may occur and if so whether it may be avoided in accordance with the terms of this Convention.

ARTICLE XII

The provisions of this Convention shall not be construed to restrict in any manner any exemption, deduction, credit or other allowance accorded by the laws of one of the contracting States in the determination of the tax imposed by such State.

ARTICLE XIII

1. As used in this Convention:

(a) The term "Minister" means the Minister of National Revenue of Canada or his duly authorized representative.

(b) The term "Commissioner" means the Commissioner of Internal Revenue of the United States of America, or his duly authorized representative.

(c) The term "competent authority" or "competent authorities" means the Commissioner and the Minister and their duly authorized representatives.

2. When used in a geographical sense:

(a) The term "United States of America" includes only the states, the Territory of Alaska, the Territory of Hawaii, and the District of Columbia.

(b) The term "Canada" means the provinces, the territories and Sable Island.

ARTICLE XIV

1. This Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

2. This Convention shall be deemed to have come into effect on the fourteenth day of June, 1941. It shall continue in effect for a period of five years from that date and indefinitely after that period, but may be terminated by either of the contracting States at the end of the five year period or at any time thereafter provided that at least six months prior notice of termination has been given.

Done in duplicate, at Ottawa, this eighth day of June, 1944.

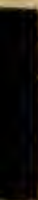
RAY ATHERTON.

W. L. MACKENZIE KING.

COLIN GIBSON.

OVERSEAS INTER-AMERICAN HIGHWAY FROM KEY WEST, FLA.

Mr. ANDREWS, Mr. President, ceremonies were held recently at Key West celebrating the completion of the overseas highway from the mainland of Florida to the island of Key West. A large part of the causeway portion of the Florida East Coast Railway extending to Key West was destroyed or so badly damaged as a railway by the big hurricane of 1935, that permission was granted to abandon it. Soon thereafter, there was established under Florida statutes, the overseas highway district, which issued bonds with which, together with aid provided from the State of Florida and the Federal Government, it purchased, for less than \$1,000,000 that portion of the Florida East Coast Railroad extending from the mainland to Key West. The original construction had cost over \$60,000,000. Some of the finest engineering was required to construct this overseas highway on top of steel bridges and reinforced concrete piers. This highway, although not completed until this year, aided greatly in our war effort during the submarine menace, which hovered



H. R. 4485

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. SHIPSTEAD to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

1 On page 40, between lines 3 and 4, insert a new section
2 as follows:

3 "SEC. . The Board of Engineers for Rivers and
4 Harbors, created under section 3 of the River and Harbor
5 Act, approved June 13, 1902, is hereby authorized and
6 directed to review the report on the Mississippi River be-
7 tween Sandy Lake and Brainerd, Minnesota, submitted in
8 House Document Numbered 113, Fifty-sixth Congress,
9 second session, and subsequent reports, with a view to
10 determining whether any modifications of the recommen-
11 dations therein are advisable at the present time."

78TH CONGRESS
2D Session

H. R. 4485

AMENDMENT

Intended to be proposed by Mr. SHIPSTEAD to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

SEPTEMBER 15 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. TAFT to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 39, after line 13, insert the following:

- 1 Reno Beach, Lucas County, Ohio, with a view to pro-
- 2 tection of the Reno Beach-Howards Farm area and adjacent
- 3 areas from floods caused by frequent windstorms and from
- 4 increases in the lake level of Lake Erie.

AMENDMENT

Intended to be proposed by Mr. TAYLOR to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

SEPTEMBER 19 (legislative day, SEPTEMBER 1), 1944
Ordered to lie on the table and to be printed



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, SECOND SESSION

Vol. 90

WASHINGTON, TUESDAY, SEPTEMBER 19, 1944

No. 152

Senate

(Legislative day of Friday, September 1, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Father, from the anguished earth where innocent blood cries from the ground, through the voice of woe Thy voice to us is calling. We cannot be true to ourselves and to our heritage if in a crucified world we refuse the cross. In the agony of humanity, we could not hold ourselves safe and apart. Thou knowest we have no choice save to break the bread of sacrifice and spill the sweet wine of youth in that eternal sacrament forever crimsoned with the cleansing love that seeketh not its own and gives itself a ransom for many.

Grant to us a sustaining vision of life, personal life and national life, as it was made and meant to be, gladly losing itself in high and holy causes, in singing toil, in waste places transformed, in shackles broken, in hunger fed and in thirst quenched, in braver and better things. Lead us for Thy name's sake, even in the valley of the shadow of pain and loss, if the cross but lift us and our willful and wistful humanity nearer, our God, to Thee, nearer to Thee. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, September 15, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5125) to provide for the disposal of surplus Gov-

ernment property and plants, and for other purposes.

The message also announced that the House had passed a bill (H. R. 5386) to amend the Selective Training and Service Act of 1940, as amended, to extend the time within which application may be made for reemployment, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 51) authorizing a change in enrolling the bill (H. R. 4257) to expatriate or exclude certain persons for evading military and naval service.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1250. A bill to repeal section 2 of the act approved May 17, 1926, which provides for the forfeiture of pay of persons in the military and naval service of the United States who are absent from duty on account of the direct effects of venereal disease due to misconduct, and to amend Veterans Regulation No. 10, as amended, to define line of duty and misconduct for pension and compensation purposes;

S. 2111. A bill to provide for the extension of certain oil and gas leases; and

S. J. Res. 150. Joint resolution making an appropriation to pay the necessary expenses of the inaugural ceremonies of the President of the United States January 20, 1945.

NORTH DAKOTA SENATORIAL PRIMARY—NOTICE OF SPEECH

Mr. LANGER. Mr. President, some data which I sent for in North Dakota so that I might have proof of statements I might make in reply to the charges of my colleague [Mr. NYE] has failed to arrive and will not arrive until this afternoon. Therefore, I give notice that I will reply to the charges made by my colleague at the next meeting of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SURPLUS GOVERNMENT PROPERTY AND MATERIALS—SECOND QUARTERLY REPORT (S. Doc. No. 239)

A communication from the President of the United States, submitting, in response to Senate Resolution 195, requesting an investigation concerning Government property and materials no longer needed for war purposes, agreed to March 14, 1944, a second quarterly report concerning surplus Government property and materials; to the Committee on Military Affairs and ordered to be printed.

PERSONNEL OF THE LAND FORCES

A confidential letter from the Secretary of War, reporting, pursuant to law, relative to the personnel of the land forces on July 31, 1944, under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Attorney General, submitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 302 individuals whose deportation has been suspended for more than 6 months under authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

PERSONNEL REQUIREMENTS

Letters from the Acting Secretary of the Treasury, the Secretary of Labor, Administrator of the War Shipping Administration, Acting Director of the Office of Strategic Services, Chairman of the Interstate Commerce Commission, Administrative Assistant to the Secretary of Commerce, and Director of War Information, transmitting, pursuant to law, estimates of personnel requirements for their respective departments and offices for the quarter ending December 31, 1944 (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War (7), Navy (2), Interior (2), and Agriculture (2); United States District Court for the Eastern District of Wisconsin, Federal Security Agency, General Accounting Office, Selective Service System, and the Federal Works Agency which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, and referred as indicated:

A resolution by the Board of Liquidation, City Debt, New Orleans, La., favoring the enactment of the so-called Boren bill, being House bill 1502, proposing to amend the Security and Exchange Act of 1934 by providing that the issuance and sale of municipal bonds be not under the jurisdiction of the Securities and Exchange Commission; to the Committee on Banking and Currency.

A resolution by the City Council of Minneapolis, Minn., requesting inclusion in any proposed coal-control act of a provision preserving benefits of water transportation to communities located on or adjacent to tide waters, lakes, or rivers; to the Committee on Interstate Commerce.

A resolution adopted by a meeting of citizens of Hannibal, Mo., favoring the adoption of measures to keep German prisoners of war out of the city of Hannibal, Mo., or from laboring therein, and to restore the city ball park to its original condition and use; to the Committee on Military Affairs.

A petition of sundry citizens of New York City and vicinity, praying for the enactment of the so-called Mead bill, being Senate bill 1882, to increase the compensation of letter carriers; to the Committee on Post Offices and Post Roads.

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—MEMORIALS

Mr. AIKEN. Mr. President, I ask consent to present for appropriate reference memorials signed by 3,090 citizens of Vermont, remonstrating against the enactment of Senate bill 860, relating to the sale of alcoholic liquors to members of the land and naval forces of the United States, or any similar prohibition legislation.

The VICE PRESIDENT. Without objection, the memorials will be received and referred to the Committee on Military Affairs.

PETITION FOR PEACE FROM THE UNITARIAN SOCIETY, LAWRENCE, KANS.

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference a petition for peace, sent to me by Homer A. Jack, Ph. D., minister, the Unitarian Society of Lawrence, Kans., just before the Senate recessed in July. It is signed by 23 citizens of Abilene and Newton, Kans., and reads as follows:

Since the declared purpose of the United Nations in the war is the achievement of political, cultural, and spiritual freedom throughout the world, and economic justice and a higher standard of living for all peoples.

We urge our Government to formulate specific proposals for such a peace and to make them known to the governments and peoples of all lands, with a view to ending this war honorably at the earliest possible moment.

The VICE PRESIDENT. Without objection, the petition will be received and referred to the Committee on Foreign Relations.

RESOLUTIONS OF WATER CONSERVATION CONFERENCE, MODIFICATIONS OF AMENDMENTS TO RIVERS AND HARBORS AND FLOOD CONTROL BILLS, AND LETTER FROM THE PRESIDENT

Mr. O'MAHONEY. Mr. President, on the 7th and 8th of September there was

held in the city of Chicago a conference on the conservation of water. Delegates came to that conference from all parts of the United States, and there studied some of the amendments which have been suggested to the pending river and harbor bill and to the pending flood-control bill. Engineers and lawyers representing some 29 States, as I recall, were there.

The result of the conference was to make certain suggestions with respect to the modification of some of the pending amendments. Resolutions were adopted, all of which, I think, are of such great importance that they should be available to all Members of the Senate and to be called particularly to the attention of the Committee on Commerce.

There is also a statement by President Roosevelt with respect to the importance of reclamation and irrigation in connection with the development of the water resources of the various river basins.

At my request Mr. F. O. Hagie, secretary-treasurer of the Water Conservation Conference, has submitted to me the resolutions and the modifications of the various amendments. I ask unanimous consent that his letter transmitting these matters to me, together with the letter from President Roosevelt, may be printed at length in the RECORD, and then referred to the Committee on Commerce for its consideration.

There being no objection, the letters and accompanying papers were ordered to be referred to the Committee on Commerce, and to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, August 7, 1944.

Hon. JOHN H. OVERTON,
United States Senate.

MY DEAR JOHN: I am glad to learn from your letter of June 23 that the Senate Commerce Committee adopted a progressive provision for the marketing of power from navigation and flood control projects in the bills that have been reported to the Senate.

The dam and reservoir projects in the Central Valley of California, which would be authorized by H. R. 4485 for construction by the Army engineers, should, for purposes of sound administration and coordinated operation, be constructed by the Bureau of Reclamation in the Department of the Interior. These projects constitute logical extensions of the existing Central Valley project of the Bureau of Reclamation. California, in common with the other Western States, has a flood-control problem and a need for water. The basic and best solution of her flood control problem lies in the maximum storage and use of water for irrigation. Every flood control project and every navigation project in the West should therefore be made, so far as practicable, to play its part in the great scheme of conservation of water for beneficial consumptive use.

It may well be that testimony before your Committee in favor of the construction of these projects by the Corps of Engineers was a reflection of the desire of certain large land interests in California to obtain irrigation and other benefits without being subjected to the repayment requirements and to the other public safeguards that are a part of the reclamation law, but I do not believe that this should be allowed to obscure the fundamental objectives of that law. In this connection, I was pleased by the inclusion of the irrigation amendment. But this amendment will not assure that the planning, design, construction and operation of these reservoirs shall be such as to fulfill the pri-

mary need for conservation and beneficial consumptive use of water. I hope, therefore, that the Congress will see fit to place in the Bureau of Reclamation the authority and the responsibility for accomplishment of the great objectives that the Federal Government should achieve in California.

I am convinced of the soundness of the amendment designed to assure that the respective States have opportunity to have their views formally recorded in reports on proposed projects of interest to them. While I appreciate your concern over the provision of that amendment that would allow the States to hold up construction of projects already approved by the Congress, this appears to be the case only with respect to projects in the present bill and is necessary to permit transition to the procedure that would be effective for future projects. This amendment seems to me to be no less constitutional than other limitations written by the Congress from time to time on the extent and manner of the execution of powers vested in the Federal Government by the commerce clause of the Constitution.

With respect to the Missouri River, specifically, I am hopeful that a method can be found for the settlement of differences between the proponents of irrigation and of navigation so that the needed over-all development of the basin can proceed expeditiously.

I appreciate your having given my views consideration and having made them available to your committee. You have undertaken an important job and one that is particularly close to my heart. I am grateful and I am sure the Nation as a whole will be grateful for the great effort you are putting into this task.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

WATER-CONSERVATION CONFERENCE,
Washington, D. C., September 14, 1944.
Hon. JOSEPH C. O'MAHONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: Last week 123 representatives from 29 States convened in Chicago for a water-conservation conference called by 4 widely scattered groups to perfect amendments to the river-harbor and flood-control bills now pending before the Senate.

We have the honor of conveying to you in compliance with resolutions passed at that conference the following:

1. Copies of two resolutions unanimously approved by the conference.

2. A proposed revision of the O'Mahoney-Millikin amendments, together with other amendments to H. R. 3961 and H. R. 4435, all of which were approved by the conference.

3. A list of the delegates by States who registered for the conference and who participated in the deliberations, together with the name of the organization or agency for which they were authorized to speak.

4. A list of the committees and the temporary officers chosen by the conference.

All participants in the conference were most grateful to you and Senator MILLIKIN for your interest and participation and for your counsel and advice to the committees and to the conference as a whole.

Any help which you can give in bringing the above material and information to the attention of interested parties throughout the Nation will be greatly appreciated by every member of the conference and especially by the undersigned.

Sincerely yours,

ALBAN J. PARKER, *Chairman.*

F. O. HAGIE, *Secretary-Treasurer.*

RESOLUTIONS APPROVED BY THE WATER CONSERVATION CONFERENCE

RESOLUTION 1

Whereas the omnibus rivers and harbors bill (H. R. 3961) and the omnibus flood-control bill (H. R. 4485), as passed by the House

of Representatives and as now pending before the United States Senate, providing for public works to serve the interests of the Nation and of the States and their local regions, contain, in their present form, various provisions inimical to the sovereign rights and interests of the States and the people thereof; and

Whereas we, representatives from 29 States of the United States, are now in session in Chicago on September 7 and 8, 1944, at the call of the Interstate Commission on the Delaware River Basin, the Texas delegation in attendance at the New Orleans meeting of the National Rivers and Harbors Congress, the Committee on Preservation of Integrity of State Water Laws of the National Reclamation Association, and the Northeastern States Conservation Conference for the following purposes:

1. To assure local and State participation in plans for water-resources development;
2. To preserve the integrity of State water laws;
3. To perfect amendments to the omnibus rivers and harbors bill (H. R. 3961) and the omnibus flood-control bill (H. R. 4485) now pending before the United States Senate; and
4. To insure adoption of such amendments by the Congress; and

Whereas such perfecting amendments to be offered in substitution for and in addition to the so-called O'Mahoney and Millikin amendments to said bills have been prepared with the advice of Senators O'MAHONEY and MILLIKIN and approved by this conference; and

Whereas said amendments, if adopted by the Congress, will protect the rights and interests of the several States and provide for the full use of the facilities of the States and the Federal agencies concerned with the development and control of the water resources of the country in that they recognize and would preserve the correct distinction between the functions of the States and the United States and require full cooperation on the part of the Federal agencies involved and between them and the various States: Now, therefore, be it

Resolved, That this conference calls to the attention of all interested in the control and development of the Nation's water resources the action of this conference, and urges them to take all steps necessary to secure the adoption at the present session of Congress of said amendments and the two bills as so amended; and be it further

Resolved, That the Secretary of this conference is instructed to give general circulation to said proposed amendments to the bills H. R. 3961 and H. R. 4485, and to this resolution and to mail copies to all persons and organizations here represented.

RESOLUTION 2

Be it

Resolved, That this conference, having been honored by the presence of Senators JOSEPH C. O'MAHONEY, of Wyoming, Senator EUGENE D. MILLIKIN, of Colorado, Senator HUGH BUTLER, of Nebraska, and Congressman FRANCIS CASE, of South Dakota, and aided by their counsel in its deliberations, expresses to them its gratitude for their attendance and advice; and be it further

Resolved, That the thanks of the conference are extended to Senators O'MAHONEY and MILLIKIN for their untiring efforts on behalf of the amendments perfecting H. R. 3961 and H. R. 4485 supported by this conference; and

The secretary of this conference is directed to present copies of this resolution to Senator O'MAHONEY, Senator MILLIKIN, Senator BUTLER, and Representative CASE.

O'MAHONEY-MILLIKIN AND OTHER AMENDMENTS TO THE RIVER-HARBOR AND FLOOD-CONTROL BILLS NOW PENDING BEFORE THE SENATE OF THE UNITED STATES AS APPROVED BY THE WATER CONSERVATION CONFERENCE (Attended by water representatives of 29 States and interested Senators and Congressmen)

1. At the proper place in the bill insert the following:

"In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control; to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive, basin-wide development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

"In conformity with this policy:

"(a) Plans, proposals or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, of the affected States and of the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in

case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within 90 days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

"(b) The authorizations for projects described as follows in this act shall be subject to the provisions of this paragraph (b):

"Rowlesburg Reservoir on the Cheat River.
"Youghiogheny River Basin.
"Raystown Reservoir on the Juniata River.
"Connecticut River Basin.

* * * * *

"If a written objection to the authorization of any of the above described projects is filed with the Secretary of War within 90 days after the date of such authorization by the Governor of any affected State (as defined in paragraph (a) of this section), then the Chief of Engineers (1) shall give opportunity to be heard to representatives accredited by the Governor of each affected State; (2) shall undertake such investigations or reinvestigations as he deems appropriate in the circumstances; and (3) shall prepare a review report and recommendations in the light of said objections and hearings and shall transmit a copy thereof to each affected State. The review report shall be of such scope as the Chief of Engineers deems appropriate in the circumstances. Thereupon, within 90 days from the date of receipt of said review report, the written views and recommendations of each such State may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the review report together with the submitted views and recommendations of such States. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document. The authorization in question, with such modifications of the plans for works as may have been recommended in the review report of the Chief of Engineers, shall be effective on the date when said document is printed, if the Secretary of War concurs in said review report and if there is no objection thereto set forth in a submission of views and recommendations made by a State in accordance with the above procedure. The authorization, if objections thereto are set forth in such a submission, shall not be effective unless and until otherwise provided by subsequent act of Congress.

"Any authorization hereafter made based on a plan, proposal, or report which has been made to the Congress prior to the date of this act but which has not been heretofore or herein authorized, shall likewise be subject to the provisions of this paragraph (b).

"(c) The use for navigation, in connection with the operation and maintenance of such works herein or hereafter authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian,

of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

"(d) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in paragraph (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, on grounds not inconsistent with paragraph (c) of this section, the proposed works shall not be deemed authorized except upon approval by an act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly."

Section 4 of bill as passed by House:

"Sec. 6. That the Secretary of War is authorized to contract for water storage for any beneficial uses or purposes with States, legal subdivisions thereof, State and interstate agencies, municipalities, public, quasi public, or private corporations, firms, associations, or individuals on such terms and conditions as he may deem reasonable, when storage capacity for any such uses or purposes is or may be made available at any reservoir now or hereafter constructed by the War Department: *Provided*, That the right to the use of water for such purposes shall have been established by proceedings in conformity with State laws: *And provided further*, That no such water storage shall be in conflict with, or adversely affect, then existing lawful uses of water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts."

Section 6 of bill as passed by House:

"Sec. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that in connection with any dam and reservoir project constructed or to be constructed by the Secretary of War additional works for the diversion and distribution of water may be utilized for irrigation, the Secretary of the Interior is authorized to make a report and findings on the construction of such additional works for the diversion and distribution of water as he may deem necessary for such purposes. Such report and findings shall be made in accordance with and subject to the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplemental thereto). Within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation. After authorization as provided by law, the Secretary of the Interior shall construct, operate, and maintain such additional works in accordance with said Federal reclamation laws and shall be authorized to deliver to such lands such portion of the water made available by said dam and reservoir project as may be set forth in said report and findings of the Secretary of the Interior or as may be otherwise provided by law. The provisions of this section shall not prejudice lawful uses then existing nor water rights or priorities established under applicable State laws, and shall not apply to any dam or reservoir heretofore or hereafter constructed which supplements any existing locally operated irrigation system or other locally operated water facilities, nor shall this section nor the provisions of section 6 hereof apply to any dam or reservoir heretofore con-

structed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes."

Section 15. Delete the entire section.

(This section relates to the authority and supervision of the Chief of Engineers over dams on navigable rivers and tributaries thereof.)

Section 9. Missouri River Basin.

Delete line 5, page 20, to line 2, page 22, inclusive, and insert in lieu thereof the following:

"Subject to such revision and coordination as the Secretary of War and the Secretary of the Interior may agree upon in a joint report to the Congress hereby directed to be made on or before — 1945 (and to be printed as a House or Senate document), the general comprehensive plans set forth in House Document 475 and Senate Document 191, Seventy-eighth Congress, second session, are hereby approved and the initial stages recommended therein are hereby authorized, provided, said joint report shall include, among other things, (a) the allocations to various purposes of the estimated costs of the works comprising the plan, said allocations to be made on a basin-wide basis in general conformity with the provisions and principles of section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187) as modified with respect to flood control and navigation by the practices of the Secretary of War; (b) provision for regulations by the Secretary of War to govern operation of the flood control or navigation capacity of any reservoir which, although agreed to be operated by the Bureau of Reclamation, includes some capacity dedicated and allocated for purposes of navigation or flood control; and (c) provision that water stored in Fort Peck Reservoir shall be made available for irrigation and other beneficial uses as additional multiple-purpose reservoirs are constructed and placed in operation; said multiple uses to include irrigation and other beneficial consumptive uses, power, and navigation."

The foregoing amendments apply to H. R. 4485, as reported by the Senate Commerce Committee on June 22, 1944, Report No. 1030, Calendar No. 1047.

RIVERS AND HARBORS BILL (H. R. 3961)

Amendments in accordance with the foregoing are to be made to H. R. 3961, as reported by the Senate Commerce Committee on May 25, 1944, Report No. 903, Calendar No. 915, in all instances where appropriate. In addition thereto, the following amendments are recommended to H. R. 3961:

1. Delete that portion of section 1, page 28, line 10, to page 28, line 23, inclusive, and insert the following in lieu thereof:

"Snake River, Oreg., Wash., and Idaho: The construction of such dams as are necessary and open channel improvement for purposes of providing slack-water navigation and irrigation in accordance with the plan submitted in House Document No. 704, Seventy-fifth Congress, with such modifications, as do not change the requirement to provide slack-water navigation, as the Secretary of War may find advisable after consultation with the Secretary of the Interior and such other agencies as may be concerned: *Provided*, That surplus electric energy generated at the dams authorized in this item shall be delivered to the Secretary of the Interior for disposition in accordance with existing laws relating to the disposition of power at Bonneville Dam: *Provided further*, That nothing in this paragraph shall be construed as conferring the power of condemnation of transmission lines."

2. Restore to the bill that portion thereof appearing from line 24, page 35, to line 3, page 36, inclusive, in strike-out type, the same constituting section 4 of H. R. 3961 as the same was passed by the House of Representatives, reading as follows:

"Sec. 4. The excess land provisions of the Federal reclamation laws shall not be applicable to lands which will receive a water supply from the Central Valley project, California, reauthorized by section 2 of the River and Harbor Act, approved August 26, 1937."

LIST OF DELEGATES REGISTERED AT WATER CONSERVATION CONFERENCE AT STEVENS HOTEL, CHICAGO, SEPTEMBER 7 AND 8, 1944

ARIZONA

A. C. Williams, State of Arizona.

CALIFORNIA

G. L. Henderson, Kern County Canal & Water Co.

S. T. Harding, Tulare Lake Basin Water Storage District.

R. W. Stanfield, County of Riverside.

R. B. Harris, Irrigation Districts of California.

C. L. Kaupke, Kings River Water Association.

M. E. Salsbury, Los Angeles County Flood Control District.

S. B. Robinson, Colorado River Board of California.

W. A. Smith, Los Angeles County.

Howard A. Miller, Los Angeles Chamber of Commerce.

E. F. Scattergood, Colorado River Board of California.

A. B. Shaw, Jr., Attorney General of California.

James H. Howard, Colorado River Board of California.

L. H. Hauser, Colorado River Board of California.

Earl Redwine, Riverside County.

W. V. Pittman, Riverside County.

Edward Hyatt, State of California.

E. C. Reynolds, United States Chamber of Commerce.

F. H. Mogle, County Flood Control.

Raymond Matthew, State Department of Public Works.

Rolan Curran, Central Valley Project Association.

W. C. Penfield, Santa Barbara County.

C. W. Bradbury, Board of Supervisors, Santa Barbara County.

F. H. Fowler, Colorado River Board of California.

Burnham Enersen, North Kern Water Storage District.

L. H. Adam, Santa Maria Valley Water Conservation District.

W. R. Bailey, Tulare County.

Leroy McCormick, Tulare County.

COLORADO

Eugene D. Millikin, United States Senator from Colorado.

R. L. Carr, Colorado.

Clifford H. Stone, State of Colorado.

Glenn G. Saunders, State of Colorado.

W. P. Redding, Denver Chamber of Commerce.

A. P. Gumlick, Denver Water Board.

Roscoe Fleming, National Farmers Union.

Gail L. Ireland, Attorney General of Colorado.

George M. Corbett, Colorado.

A. W. McHendrie, Colorado.

CONNECTICUT

S. W. Wadhams, State of Connecticut.

DELAWARE

R. C. Beckett, Interstate Commission on the Delaware River Basin.

IDAHO

Earl Murphy, State Chamber of Commerce.

E. W. Rising, State of Idaho, and Governor of Idaho.

ILLINOIS

J. B. Lamson, C. B. & Q. R. R.

H. J. Gramlich, C. & N. W. R. R.

Leon H. Robbins, Milwaukee Railroad.

A. J. Meseroe, Attorney General.
G. A. Haggander, C. B. & Q. R. R.
R. W. Booze, Federal Power Commission.
Paul E. Carneek, G. T. M. Southern Pacific Co.
D. J. McGanney, G. T. M. Southern Pacific Co.
L. M. Fisher, United States Public Health Service.

KANSAS

C. A. Munger, Republic Valley.
J. E. Kissell, Kansas Reclamation Association.
E. Porter Ahrens, Kansas Reclamation Association.

MAINE

John G. Marshall, State of Maine.

MARYLAND

J. R. Baker, Penn Water & Power Co.
L. H. Sothoron, Interstate Commission on Potomac River Basin.

MASSACHUSETTS

Laurence Curtis, Massachusetts Commission on Interstate Cooperation.

MINNESOTA

W. E. Olson, Minneapolis Civic & Commerce Association.
W. T. Foley, The Farmer.
F. P. Fellows, St. Paul Association of Commerce.
J. W. Haw, Northern Pacific Ry. Co.
A. J. Dexter, Northern Pacific Ry. Co.

MISSOURI

Hugh Denney, State Conservation Commission and State Department Resources and Development.
P. T. Simons, Missouri Pacific R. R.
Sam Shelton, The Post Dispatch, St. Louis, Mo.

MONTANA

W. A. D'Ewart, Montana Reclamation Association.
W. F. Flinn, State of Montana.
Fred Sanborn, Great Northern Ry.
O. S. Warden, State of Montana.

NEBRASKA

John Riddell, State of Nebraska.
George Proud, State Reclamation Association.
E. N. Van Horne, Nebraska Reclamation Association.
Wardner Scott, State Department Roads and Irrigation.
C. P. Peterson, Nebraska.
HUGH BUTLER, United States Senator from Nebraska.

NEVADA

A. M. Smith, State of Nevada.

NEW HAMPSHIRE

Stephen W. Wheeler, State of New Hampshire.

NEW JERSEY

Duane E. Minard, Interstate Commission on the Delaware River Basin.

NEW MEXICO

E. W. Bowen, State of New Mexico.

NORTH DAKOTA

F. J. Fredrickson, Greater North Dakota Association State Water Commission, and Governor Moses.
Harry E. Polk, National Reclamation Association.
R. A. H. Brandt, North Dakota Reclamation Association.
Kenneth W. Simons, State of North Dakota.

SOUTH DAKOTA

M. G. Scott, South Dakota Reclamation Association.
H. M. Pierce, South Dakota Reclamation Association.
Raymond F. Lund, South Dakota Reclamation Association.

A. Svendby, South Dakota Reclamation Association.

Francis Case, Congressman, South Dakota.

OKLAHOMA

Frank Raab, Division Water Resources.

OREGON

Allan A. Smith, Oregon Reclamation Congress.
Charles E. Stricklin, State Engineer of Oregon.
Robert W. Sawyer, State of Oregon.

PENNSYLVANIA

L. W. Heath, Interstate Commission on the Delaware River Basin.
I. S. Sanli, Pennsylvania Municipal Authorities Association.
Hon. F. Lichtenwalter, Pennsylvania.
J. H. Murdock, Jr., Pennsylvania.
James H. Allen, Interstate Commission on the Delaware River Basin.
C. A. Miller, Interstate Commission on the Delaware River Basin.

TEXAS

J. E. Sturrock, State of Texas.
Max Starcke, Lower Colorado River Authority.
C. S. Clark, Texas Board of Water Engineers.
E. W. Easterling, Lower Neches Valley Authority.
Charles Matula, Lower Colorado River Authority.
A. F. Mitchell, Texas Society of Professional Engineers.
John D. McCall, State of Texas.
R. B. McLeaish, State of Texas.
W. G. Hall, San Jacinto, River Conservation and Reclamation District.

UTAH

E. H. Watson, State of Utah.
S. A. Kennedy, Metropolitan Water Board of Salt Lake City.
Ora Bundy, State of Utah.

VERMONT

F. E. Morrissey, Vermont Conservation Board.
Philip Shutler, State of Vermont.
Alban J. Parker, Attorney General, State of Vermont.
S. R. Waterman, Governor of Vermont.

WYOMING

L. C. Bishop, State of Wyoming.
H. T. Person, Wyoming Reclamation Association.
JOSEPH C. O'MAHONEY, United States Senator from Wyoming.

WASHINGTON

Lars Langloe, State Department of Conservation and Development.
Leo E. Lowe, Washington Irrigation Institute; Seattle and State chambers of commerce.

WASHINGTON, D. C.

David J. Guy, Chamber of Commerce of United States.
F. O. Hagie, National Reclamation Association.
E. R. Cotton, Interstate Commission on the Potomac River Basin.
The conference named the following committees:

DRAFTING COMMITTEE

Clifford H. Stone, chairman, Colorado; James H. Allen, Pennsylvania; Philip Shutler, Vermont; John D. McCall, Texas; W. R. Bailey, California; E. W. Rising, Idaho; L. H. Sothoron, Maryland.

COMMITTEE ADVISERS

Senator JOSEPH C. O'MAHONEY, of Wyoming.
Senator EUGENE D. MILLIKIN, of Colorado.

RESOLUTIONS COMMITTEE

Robert W. Sawyer, chairman, Oregon; J. E. Sturrock, Texas; Duane E. Minard, New Jersey; Frank Raab, Oklahoma; Fred Fellows, Minnesota; C. L. Kaupke, California; Franklin

Lichtenwalter, Pennsylvania; R. A. H. Brandt, North Dakota; Samuel H. Wadhams, Connecticut; Glenn Saunders, Colorado.

TEMPORARY OFFICERS

Alban J. Parker, conference chairman, Vermont; F. O. Hagie, conference secretary-treasurer, Washington, D. C.

FAIR EMPLOYMENT PRACTICE COMMITTEE

Mr. CAPPER. Mr. President, I ask unanimous consent to place in the RECORD a letter written by Dr. Karl Menninger, one of the leading businessmen of Topeka, urging prompt action on the bill for a permanent Fair Employment Practice Committee. I heartily approve the stand taken by Dr. Menninger.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE MENNINGER CLINIC,

Topeka, Kans., September 7, 1944.
Senator ARTHUR CAPPER,
Senate Building, Washington, D. C.

DEAR SENATOR CAPPER: * * * It appears that the bill for a permanent F. E. P. C. may be sidetracked at this session. It seems to me that this would be a great mistake. It would mean sidestepping an extraordinarily important problem. Evasion by Congress of this issue would appear to be a step in the direction of principles advocated by Hitler instead of a step in the direction of principles advocated by our own Thomas Jefferson. Won't you do what you can to see that the bill is reported favorably as soon as possible?

Sincerely yours,
KARL MENNINGER, M. D.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 2053. A bill relating to the pay of officers of the retired list of the Navy serving on active duty in the rank of rear admiral; with an amendment (Rept. No. 1101).

By Mr. WHEELER, from the Committee on Indian Affairs:

S. 1925. A bill to authorize and direct the Secretary of the Interior to issue to Charles F. White a patent in fee to certain land; without amendment (Rept. No. 1102); and

S. 2026. A bill authorizing the issuance of a patent in fee to Richard Pickett; without amendment (Rept. No. 1103).

By Mr. DANAHER, from the Committee on the Judiciary:

S. 578. A bill granting jurisdiction to the Court of Claims to reopen and readjudicate the eminent-domain case of John W. Parish, trustee (John H. Bexten, substituted), and revise its judgment heretofore entered therein; with an amendment (Rept. No. 1104).

By Mr. BARKLEY, from the Committee on the Library:

S. J. Res. 141. Joint resolution memorializing the name of Horace Wells; without amendment.

EXEMPTION OF OFFICERS AND EMPLOYEES OF NATIONAL WAR LABOR BOARD FROM PROVISIONS OF CRIMINAL CODE

Mr. HATCH. Mr. President, from the Committee on the Judiciary, I report back favorably with an amendment the bill (S. 4349) to exempt certain officers and employees of the National War Labor Board from certain provisions of the Criminal Code, and I submit a report (No. 1107) thereon.

The bill would correct an unusual situation. I shall not ask to have the bill taken up today; but tomorrow, after opportunity has been had to examine the bill, I shall request unanimous consent to have it taken up for immediate consideration.

The VICE PRESIDENT. Without objection, the report will be received, and the bill will be placed on the calendar.

NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

Mr. GEORGE. Mr. President, from the Committee on Finance I report back favorably without amendment the bill (S. 2015) to liberalize certain provisions of the National Service Life Insurance

Act of 1940, as amended, and I submit a report (No. 1105) thereon, and also from the same committee I report back favorably without amendment the bill (S. 2058) to liberalize certain provisions of the National Service Life Insurance Act of 1940, as amended, and I submit a report (No. 1106) thereon.

I hope Senators will examine the bills and reports, because tomorrow or the next day, if we shall be in session, I shall ask for consideration of the bills. They both deal with the National Service Life Insurance Act of 1940, and are both amendatory of the act in very important respects. This is legislation which ought to pass the Senate before we take a recess.

The VICE PRESIDENT. Without objection, the reports submitted by the Senator from Georgia will be received and the bills will be placed on the calendar.

PART-TIME EMPLOYEES OF COMMITTEES—REPORTS

Mr. MEAD, from the Special Committee to Investigate the National Defense Program, in response to Senate Resolution 319, relative to persons employed who are not full-time employees of the Senate or any committee thereof, agreed to August 23, 1944, submitted a report thereon, which was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

SPECIAL COMMITTEE INVESTIGATING THE NATIONAL DEFENSE PROGRAM (Standing or select committee)

SEPTEMBER 1, 1944

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee, in compliance with the terms of Senate Resolution No. 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Joe L. Martinez (investigator).....	208 Massachusetts Ave. NW.....	U. S. Maritime Commission, Commerce Building, 14th St. between E St. and Constitution Ave.	\$3,800
Franklin N. Parks (investigator).....	2701 Connecticut Ave.....	Office of Price Administration, Second and D Sts. SW.....	3,800
Harold G. Robinson (chief investigator)...	3446 Highwood Drive SE.....	U. S. Maritime Commission, Commerce Building, 14th St. between E St. and Constitution Ave.	6,000
Brig. Gen. Frank E. Lowe.....	1316 New Hampshire Ave.....	General Staff, U. S. Army, Finance Office, Pentagon Building.....	6,000
Lt. Col. Harry Vaughan.....	1609 Oakcrest Drive, Alexandria, Va.....	do.....	3,500

JAS. M. MEAD, Chairman.

Mr. HATCH, from the Committee on Public Lands and Surveys, pursuant to Senate Resolution 319, supra, submitted a report relating to the subcommittee to investigate public lands, of the Committee on Public Lands and Surveys, which was referred to the Committee on Appropriations and appears under a separate heading.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Finance:

Paul S. Nice, of Denver, Colo., to be assayer in the mint of the United States at Denver, Colo., to fill an existing vacancy.

By Mr. CONNALLY, from the Committee on Foreign Relations:

H. Coit MacLean, of Virginia, now a Foreign Service officer of class 2 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America; and

Edward P. Lawton, of Georgia, now a Foreign Service officer of class 4 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

By Mr. HATCH, from the Committee on the Judiciary:

Harold Maurice Kennedy, of New York, to be United States district judge for the eastern district of New York, vice Marcus B. Campbell, deceased.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Sundry officers of the Naval Reserve for appointment as lieutenants (junior grade) and/or ensigns in the Navy; sundry persons for appointment as assistant surgeons in the Navy, with the rank of lieutenant (junior grade); sundry officers of the Naval Reserve to be assistant paymasters in the Navy, with the rank of ensign; and Ensign Edward G. Cunney, United States Coast and Geodetic

Survey, to be an assistant civil engineer in the Navy, with the rank of lieutenant (junior grade) to rank from July 1, 1944.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:
Sundry postmasters.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

S. 2151. A bill for the relief of the village of Cold Spring, Minn.; to the Committee on Claims.

(Mr. VANDENBERG introduced Senate bill 2152, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. BAILEY:

S. 2153. A bill conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon any claim arising out of the death of L. W. Freeman; to the Committee on Claims.

By Mr. REYNOLDS:

S. 2154. A bill for the relief of Edgar B. Grier; to the Committee on Claims.

By Mr. STEWART:

S. 2155. A bill to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. KILGORE (for Mr. WALLGREN):

S. 2156. A bill for the relief of Albert J. Walch; to the Committee on Claims.

By Mr. PEPPER:

S. 2157. A bill for the relief of Elmer R. Kinscy; and

S. 2158. A bill for the relief of Mr. and Mrs. James E. McGhee; to the Committee on Claims.

S. J. Res. 154. Joint resolution providing for paying the expenses of returning certain nationals of the United States from the Philippine Islands to the continental United States; to the Committee on Claims.

INCREASE OF EXEMPTION LIMITATION ON REGISTRATION OF SECURITIES

Mr. VANDENBERG. Mr. President, last Friday I referred to a letter received by me from the Chairman of the Securities and Exchange Commission discussing the question of the revision of the Securities and Exchange Commission rules so as to facilitate the financing of small business in the post-war era.

I ask consent to introduce a bill this morning to increase the exemption limit on the registration of securities from \$100,000 to \$300,000, which, as I understand the Chairman of the Securities and Exchange Commission, has his approval. I also understand that it will cover substantially the field where assistance and encouragement are necessary in connection with the financing of post-war small business.

Therefore, Mr. President, I am introducing the bill and asking that it be referred to the Committee on Banking and Currency, and I am renewing an expression of the hope that the subject itself may not be much longer entirely ignored by the committee.

There being no objection, the bill (S. 2152) to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding \$300,000 from the provisions of such act, was received, read twice by its title, and referred to the Committee on Banking and Currency.

Sept
5.

H. R. 4485

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. AIKEN (for himself, Mr. SHIPSTEAD, and Mr. FERGUSON) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

- 1 On page 1, at end of line 6, before the semicolon insert
- 2 the following: “, including the Saint Lawrence seaway and
- 3 power project”.

AMENDMENT

Intended to be proposed by Mr. Aiken (for himself, Mr. SHIPSTEAD, and Mr. FERGUSON) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

SEPTEMBER 21 (legislative day, SEPTEMBER 1), 1944

Ordered to lie on the table and to be printed

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 22, 1944, for actions of Tuesday, November 21, 1944)

(For staff of the Department only)

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HOUSE

1. CROP INSURANCE. Began debate on H. R. 4911, to amend the Federal Crop Insurance Act (pp. 8400-21). Rep. Cox, Ga., stated that "the Committee on Agriculture had endeavored to cure defects of previous crop insurance legislation. They have undertaken to make the operation self-sustaining, and make farming a more stable business." (p. 8400). Rep. Tarver, Ga., spoke against the legislation declaring the plan to be "futile in character" (pp. 8400-3). Rep. Murray, Wis., also, criticized the bill (pp. 8404-5). Rep. Flannagan, Va., inserted WFA's report on the bill (p. 8407).

Agreed to the following amendments by:

- Rep. Andresen, Minn., to extend insurance to oats, barley, and rye, if sufficient actuarial data are available (p. 8418).
- Rep. Hall, N. Y., to include the insuring of all fruits, if sufficient actuarial data are available (p. 8418).
- Rep. Brown, Ga., to reduce to 50 the number of farms which must file applications in any county before insurance can be provided (p. 8418).
- Rep. Crawford, Mich., to include the insuring of dry beans, if sufficient actuarial data are available (p. 8418).
- Rep. Lemke, N. Dak., to restrict insurance payments for loss of crops only when the crops are growing, unharvested, unthreshed, or unpacked (p. 8418).
- Rep. Cole, N. Y., to include the insuring of potatoes and other vegetables if sufficient actuarial data are available (p. 8418).

Rejected Rep. Tarver's, Ga., amendment to strike out the enacting clause (pp. 8420-1). During the discussion of this amendment Rep. Tarver stated that the purpose of the bill "is not so much to work out a sound program of crop insurance for the benefit of the farmers, but that it is to devise some ways and means by which this useless Federal Bureau may be continued" (p. 8420).

2. COMMITTEE ASSIGNMENTS. Rep. Brehm, Ohio, resigned from the Mines and Mining Committee and the Public Lands Committee (p. 8376).
3. ROAD AUTHORIZATIONS. The Rules Committee reported a resolution for consideration of H. R. 4915, the road-authorization bill (pp. 8400, 8423).
4. APPROPRIATIONS; STATISTICS; CENSUS OF AGRICULTURE. Received (Nov. 20) from the President supplemental appropriation estimates for the Commerce Department, for expanding a monthly survey of the labor force in connection with program

of statistics for reconversion and \$5,500,000 for the Census of Agriculture (H. Doc. 774). To Appropriations Committee.

SENATE

5. FLOOD CONTROL. Began debate on H. R. 4485, the Whittington flood-control bill (pp. 8344-72).

Agreed to the committee amendments except for the following which were held over: Providing for the disposition of surplus electric energy by the Secretary of the Interior as modified by Sen. Bailey's (N. C.) amendment so as to provide for the complete coordination of such power with other power developments within a given area (pp. 8348-50); providing that the Secretary of the Interior may construct and operate such additional irrigation works as he deems necessary in connection projects which the Secretary of War determines may be utilized for irrigation purposes (pp. 8350-1); providing for the establishment of the Missouri Valley Commission (p. 8354); and authorizing the Chief of Engineers to make examinations of any privately-owned or operated dam construction across navigable waters (pp. 8355-6).

Agreed to an amendment by Sen. Overton, La., to provide for reimbursement to local authorities for actual cost of lands, rights-of-way, and flowage easements required for the Mississippi River levee set-backs (p. 8356).

Sen. Murray, Mont., spoke opposing the bill, stating, "I believe that the bill ... does not adequately protect the rights and interests of the upper valley States in the Mississippi River Basin" (p. 8344).

Agreed to Sen. Bailey's (N. C.) resolution to discharge the Agriculture and Forestry Committee from further consideration of S. 2100, providing for the development of navigation, irrigation, and flood control on the Missouri River, and that the bill be referred to the Commerce Committee (p. 8343).

The resolution providing for the discharge of the Agriculture and Forestry Committee from further consideration of S. 2089 (similar to S. 2100) and referring the bill to the Commerce Committee, was laid on the table following Sen. Bailey's statement that he and Sen. Murray plan to discuss the situation before Sen. Murray introduces the bill in the 79th Congress (p. 8343).

Sen. O'Mahoney, Wyo., received consent to have the report prepared at the Army and Bureau of Reclamation engineers' conference in Omaha printed as a supplement to S. Doc. 191 (p. 8343).

6. FARM PROGRAM. Sen. Aiken, Vt., submitted resolutions of the Vt. State Grange favoring a long-time soil-building, fertilizer, and reforestation program; opposing the construction of the Wilder and West River Dams, Vt.; and favoring preservation of the sugar-maple forests through an educational program. To Agriculture and Forestry and Commerce Committees. (p. 8337.).

7. TRANSPORTATION; FREIGHT RATES. Sen. Maloney, Conn., inserted a Hartford C of C letter favoring H. R. 2720, which "would so clear the present Interstate Commerce Act as to preserve for shippers, consignees, and carriers the conference method of rate making, which for many years has not only served but proved satisfactory to all parties of interest" (pp. 8337-8).

8. WAGE STABILIZATION. Received the National War Labor Board's Aug. report on stabilization of wages and salaries (p. 8336).

9. NOMINATIONS. Received from the President nominations as follows (p. 8372):

Surplus Property Board: Robert A. Hurley, Conn., and Lt. Col. Edward Heller, Calif.

Office of War Mobilization and Reconversion advisory board members, including Edward A. O'Neal, Ala., James G. Patton, Colo., and Albert S. Goss, Wash,

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 1944

Ordered to be printed

AMENDMENT

Reported by Mr. BAILEY, from the Committee on Commerce, to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: Amend section 5 by striking out all the language after the word "cooperatives" and the period on page 4, line 25, and ending on page 5, line 7, and insert in lieu thereof the following:

- 1 The sale of such electric power as may be generated at
- 2 reservoir projects shall be made at the point of production,
- 3 without special privilege or discrimination, so as to provide
- 4 for the complete coordination of such power and energy with
- 5 other power developments, both private and public, in the
- 6 area contiguous with such projects. It shall be stipulated in

1 connection with any sale that any and all savings realized
2 by the purchasers shall be passed on under Federal regulation
3 where no State regulation exists to the consuming public:
4 *Provided*, That unless 90 per centum of the firm power pro-
5 duced at such projects shall be demanded or purchased within
6 three years after completion of construction of such projects,
7 the Secretary of the Interior is authorized to construct trans-
8 mission lines for the purpose of selling such power at whole-
9 sale.

10 So that section 5 as modified will read as follows:

11 SEC. 5. Electric power and energy generated at reser-
12 voir projects under the control of the War Department and
13 in the opinion of the Secretary of War not required in the
14 operation of such projects shall be delivered to the Secretary
15 of the Interior, who shall transmit and dispose of such power
16 and energy in such manner as to encourage the most wide-
17 spread use thereof at the lowest possible rates to consumers
18 consistent with sound business principles, the rate schedules
19 to become effective upon confirmation and approval by the
20 Federal Power Commission. Preference in the sale of such
21 power and energy shall be given to public bodies and
22 cooperatives. The sale of such electric power as may be
23 generated at reservoir projects shall be made at the point
24 of production, without special privilege or discrimination,
25 so as to provide for the complete coordination of such power

1 and energy with other power developments, both private
2 and public, in the area contiguous with such projects. It
3 shall be stipulated in connection with any sale that any and
4 all savings realized by the purchasers shall be passed on
5 under Federal regulation where no State regulation exists,
6 to the consuming public: *Provided*, That unless 90 per
7 centum of the firm power produced at such projects shall be
8 demanded or purchased within three years after completion
9 of construction of such projects, the Secretary of the Interior
10 is authorized to construct transmission lines for the purpose
11 of selling such power at wholesale.

AMENDMENT

Reported by Mr. BAILEY, from the Committee on Commerce, to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 21, 1944

Ordered to be printed

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 21, 1944

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. O'MAHONEY (for himself, Mr. AUSTIN, Mr. BUSHFIELD, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOWNEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. McCARRAN, Mr. McFARLAND, Mr. MILLIKIN, Mr. MURDOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERTSON, Mr. SCRUGHAM, Mr. THOMAS of Utah, Mr. THOMAS of Idaho, Mr. WHEELER, and Mr. WILSON) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: At the proper place in the bill insert the following:

- 1 "In connection with the exercise of jurisdiction over
- 2 the rivers of the Nation through the construction of works
- 3 of improvement, for navigation or flood control, it is hereby
- 4 declared to be the policy of the Congress to recognize the

1 interests and rights of the States in determining the develop-
2 ment of the watersheds within their borders and likewise
3 their interests and rights in water utilization and control;
4 to preserve and protect to the fullest possible extent estab-
5 lished and potential uses, for all purposes, of the waters of
6 the Nation's rivers; to facilitate the consideration of projects
7 on a basis of comprehensive, basin-wide development; and
8 to limit the authorization and construction of navigation
9 works to those in which a substantial benefit to navigation
10 will be realized therefrom and which can be operated con-
11 sistently with appropriate and economic use of the waters
12 of such rivers by other users.

13 "In conformity with this policy:

14 "(a) Plans, proposals, or reports of the Chief of Engi-
15 neers, War Department, for any works of improvement for
16 navigation or flood control not heretofore or herein author-
17 ized, shall be submitted to the Congress only upon compliance
18 with the provisions of this paragraph (a). Investigations
19 which form the basis of any such plans, proposals, or reports
20 shall be conducted in such a manner as to give to the affected
21 State or States, during the course of the investigations, in-
22 formation developed by the investigations and also oppor-
23 tunity for consultation regarding plans and proposals, and,
24 to the extent deemed practicable by the Chief of Engineers,
25 opportunity to cooperate in the investigations. If such

1 investigations in whole or part are concerned with the use
2 or control of waters arising west of the ninety-seventh merid-
3 ian, the Chief of Engineers shall give to the Secretary of
4 the Interior, during the course of the investigations, informa-
5 tion developed by the investigations and also opportunity for
6 consultation regarding plans and proposals, and to the extent
7 deemed practicable by the Chief of Engineers, opportunity
8 to cooperate in the investigations. The relations of the
9 Chief of Engineers with any State under this paragraph (a)
10 shall be with the Governor of the State or such official or
11 agency of the State as the Governor may designate. The
12 term 'affected State or States' shall include those in which
13 the works or any part thereof are proposed to be located;
14 those which in whole or part are both within the drainage
15 basin involved and situated in a State lying wholly or in
16 part west of the ninety-eighth meridian; and such of those
17 which are east of the ninety-eighth meridian as, in the
18 judgment of the Chief of Engineers, will be substantially
19 affected. Such plans, proposals, or reports and related in-
20 vestigations shall be made to the end, among other things,
21 of facilitating the coordination of plans for the construction
22 and operation of the proposed works with other plans involv-
23 ing the waters which would be used or controlled by such
24 proposed works. Each report submitting any such plans
25 or proposals to the Congress shall set out therein, among

1 other things, the relationship between the plans for con-
2 struction and operation of the proposed works and the plans,
3 if any, of the affected States and of the Secretary of the
4 Interior. The Chief of Engineers shall transmit a copy
5 of his proposed report to each affected State, and, in case
6 the plans or proposals covered by the report are concerned
7 with the use or control of waters which rise in whole or in
8 part west of the ninety-seventh meridian, to the Secretary
9 of the Interior. Within ninety days from the date of receipt
10 of said proposed report, the written views and recommenda-
11 tions of each affected State and of the Secretary of the
12 Interior may be submitted to the Chief of Engineers. The
13 Secretary of War shall transmit to the Congress, with such
14 comments and recommendations as he deems appropriate,
15 the proposed report together with the submitted views and
16 recommendations of affected States and of the Secretary
17 of the Interior. The Secretary of War may prepare and
18 make said transmittal any time following said ninety-day
19 period. The letter of transmittal and its attachments shall be
20 printed as a House or Senate document.

21 “(b) The authorizations for projects described as follows
22 in this Act shall be subject to the provisions of this para-
23 graph (b) :

24 “Rowlesburg Reservoir on the Cheat River.

25 “Youghiogheny River Basin.

1 “Raystown Reservoir on the Juniata River.

2 “Connecticut River Basin.

3 “Section 3 of the Act approved August 18, 1941 (55
4 Stat. 638), paragraph entitled ‘Connecticut River Basin’, is
5 amended by striking out the words ‘with such further modi-
6 fications as may be found justifiable in the discretion of the
7 Secretary of War and the Chief of Engineers’.

8 “If a written objection to the authorization of any of the
9 above-described projects is filed with the Secretary of War
10 within ninety days after the date of such authorization or
11 the date of this Act, whichever may be later, by the Gov-
12 ernor of any affected State (as defined in paragraph (a)
13 of this section), then the Chief of Engineers (1) shall give
14 opportunity to be heard to representatives accredited by the
15 Governor of each affected State; (2) shall undertake such
16 investigations or reinvestigations as he deems appropriate in
17 the circumstances; and (3) shall prepare a review report and
18 recommendations in the light of said objections and hearings
19 and shall transmit a copy thereof to each affected State. The
20 review report shall be of such scope as the Chief of Engineers
21 deems appropriate in the circumstances. Thereupon, within
22 ninety days from the date of receipt of said review report, the
23 written views and recommendations of each such State may
24 be submitted to the Chief of Engineers. The Secretary of

1 War shall transmit to the Congress, with such comments and
2 recommendations as he deems appropriate, the review report,
3 together with the submitted views and recommendations of
4 such States. The Secretary of War may prepare and make
5 said transmittal any time following said ninety-day period.
6 The letter of transmittal and its attachments shall be printed
7 as a House or Senate document. The authorization in ques-
8 tion, with such modifications of the plans for works as may
9 have been recommended in the review report of the Chief
10 of Engineers, shall be effective on the date when said docu-
11 ment is printed, if the Secretary of War concurs in said
12 review report and if there is no objection thereto set forth
13 in a submission of views and recommendations made by a
14 State in accordance with the above procedure. The author-
15 ization, if objections thereto are set forth in such a submission,
16 shall not be effective unless and until otherwise provided by
17 subsequent Act of Congress.

18 "Any authorization hereafter made based on a plan,
19 proposal, or report which has been made to the Congress
20 prior to the date of this Act but which has not been hereto-
21 fore or herein authorized, shall likewise be subject to the
22 provisions of this paragraph (b).

23 "(c) The use for navigation, in connection with the
24 operation and maintenance of such works herein or hereafter
25 authorized for construction, of waters arising in States lying

1 wholly or partly west of the ninety-eighth meridian shall be
2 only such use as does not conflict with any beneficial con-
3 sumptive use, present or future, in States lying wholly or
4 partly west of the ninety-eighth meridian, of such waters for
5 domestic, municipal, stock water, irrigation, mining, or in-
6 dustrial purposes.

7 “(d) The Secretary of the Interior, in making investi-
8 gations of and reports on works for irrigation and purposes
9 incidental thereto shall, in relation to an affected State or
10 States (as defined in paragraph (a) of this section), and to
11 the Secretary of War, be subject to the same provisions re-
12 garding investigations, plans, proposals, and reports as pre-
13 scribed in paragraph (a) of this section for the Chief of
14 Engineers and the Secretary of War. In the event a sub-
15 mission of views and recommendations, made by an affected
16 State or by the Secretary of War pursuant to said provisions,
17 sets forth objections to the plans or proposals covered by the
18 report of the Secretary of the Interior, on grounds not in-
19 consistent with paragraph (c) of this section, the proposed
20 works shall not be deemed authorized except upon approval
21 by an Act of Congress; and subsection 9 (a) of the Recla-
22 mation Project Act of 1939 (53 Stat. 1187) and subsection
23 3 (a) of the Act of August 11, 1939 (53 Stat. 1418), as
24 amended, are hereby amended accordingly.”

1 On page 5, strike out lines 8 to 16, inclusive, and
2 insert the following:

3 “SEC. 6. That the Secretary of War is authorized to
4 contract for water storage for any beneficial uses or purposes
5 with States, legal subdivisions thereof, State and interstate
6 agencies, municipalities, public, quasi public, or private
7 corporations, firms, associations, or individuals on such
8 terms and conditions as he may deem reasonable, when
9 storage capacity for any such uses or purposes is or may
10 be made available at any reservoir now or hereafter con-
11 structed by the War Department: *Provided*, That the right
12 to the use of water for such purposes shall have been estab-
13 lished by proceedings in conformity with State laws: *And*
14 *provided further*, That no such water storage shall be in
15 conflict with, or adversely affect, then existing lawful uses
16 of water. All moneys received from such contracts shall
17 be deposited in the Treasury of the United States as miscel-
18 laneous receipts.”

19 On page 5, strike out line 25 and lines 1 to 11,
20 inclusive, on page 6 and insert in lieu thereof the following:

21 “SEC. 8. Hereafter, whenever the Secretary of War
22 determines, upon recommendation by the Secretary of the
23 Interior, that in connection with any dam and reservoir
24 project constructed or to be constructed by the Secretary
25 of War additional works for the diversion and distribution

1 of water may be utilized for irrigation, the Secretary of the
2 Interior is authorized to make a report and findings on the
3 construction of such additional works for the diversion and
4 distribution of water as he may deem necessary for such
5 purposes. Such report and findings shall be made in ac-
6 cordance with and subject to the provisions of the Federal
7 reclamation laws (Act of June 17, 1902 (32 Stat. 388),
8 and Acts amendatory thereof or supplemental thereto).
9 Within the limits of the water users' repayment ability,
10 such report may be predicated on the allocation to irriga-
11 tion of an appropriate portion of the cost of structures and
12 facilities used for irrigation. After authorization as pro-
13 vided by law, the Secretary of the Interior shall construct,
14 operate, and maintain such additional works in accordance
15 with said Federal reclamation laws and shall be authorized
16 to deliver to such lands such portion of the water made
17 available by said dam and reservoir project as may be set
18 forth in said report and findings of the Secretary of the
19 Interior or as may be otherwise provided by law. The
20 provisions of this section shall not prejudice lawful uses
21 then existing nor water rights or priorities established under
22 applicable State laws, and shall not apply to any dam or
23 reservoir heretofore or hereafter constructed which supple-
24 ments any existing locally operated irrigation system or
25 other locally operated water facilities, nor shall this section

1 nor the provisions of section 6 hereof apply to any dam
2 or reservoir heretofore constructed in whole or in part by
3 the Army engineers, which provides conservation storage
4 of water for irrigation purposes.”

5 On page 20, strike out lines 5 to 25, inclusive, and on
6 page 21 strike out lines 1 and 2 and insert the following:

7 “Subject to such revision and coordination as the Sec-
8 retary of War and the Secretary of the Interior may agree
9 upon in a joint report to the Congress hereby directed to
10 be made on or before ———, 1945 (and to be printed as
11 a House or Senate document), the general comprehensive
12 plans set forth in House Document 475 and Senate Docu-
13 ment 191, Seventy-eighth Congress, second session, are
14 hereby approved and the initial stages recommended therein
15 are hereby authorized, provided, said joint report shall in-
16 clude, among other things, (a) the allocation to various
17 purposes of the estimated costs of the works comprising the
18 plan, said allocations to be made on a basin-wide basis in
19 general conformity with the provisions and principles of
20 section 9 of the Reclamation Project Act of 1939 (53 Stat.
21 1187) as modified with respect to flood control and navi-
22 gation by the practices of the Secretary of War; (b) pro-
23 vision for regulations by the Secretary of War to govern
24 operation of the flood control or navigation capacity of any
25 reservoir which, although agreed to be operated by the

1 Bureau of Reclamation, includes some capacity dedicated
2 and allocated for purposes of navigation or flood control;
3 and (c) provision that water stored in Fort Peck Reser-
4 voir shall be made available for irrigation and other bene-
5 ficial uses as additional multiple-purpose reservoirs are con-
6 structed and placed in operation; said multiple uses to include
7 irrigation and other beneficial consumptive uses, power, and
8 navigation.”

9 The foregoing amendments apply to H. R. 4485, as
10 reported by the Senate Commerce Committee on June 22,
11 1944, Report Numbered 1030, Calendar Numbered 1047.

AMENDMENTS

Intended to be proposed by Mr. O'MAHONEY
(for himself, Mr. AUSTIN, Mr. BUSHFIELD,
Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOW-
NEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON
of Colorado, Mr. LANGER, Mr. MCCARRAN,
Mr. McFARLAND, Mr. MILLIKIN, Mr. MUR-
DOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERT-
SON, Mr. SCRUGHAM, Mr. THOMAS of Utah,
Mr. THOMAS of Idaho, Mr. WHEELER, and
Mr. WILSON) to the bill (H. R. 4485) au-
thorizing the construction of certain public
works on rivers and harbors for flood con-
trol, and for other purposes.

NOVEMBER 21, 1944

Ordered to lie on the table and to be printed

Mr. HATCH. The Senator has just suggested the extension of the period of the statute of limitations, which prompts this suggestion: The Senator from Michigan [Mr. FERGUSON] has today reported from the committee a bill extending the statute of limitations for a period of 6 months. The bill will go on the calendar today. I think it is very important that that measure be taken up and disposed of at the earliest possible moment.

Mr. BARKLEY. I agree to that. My remarks had reference to the action of the Judiciary Committee in another body. I did not know that the Senate Committee on the Judiciary had acted today. I shall be very glad to have action taken on that measure as soon as possible.

Mr. FERGUSON. I shall ask for action on the measure extending the period of the statute of limitations for 6 months as soon as it reaches the calendar.

Mr. BARKLEY. There will be no difficulty in obtaining consideration of that measure.

Mr. FERGUSON. On the other question, as I understand the rule, this is not the time to argue the merits of the resolution. The question now before the Senate is to decide to which committee it should go. I am prepared to argue the merits of the resolution, but I shall not do so at this time, because this is not the appropriate time.

The ACTING PRESIDENT pro tempore. The Chair is advised by the parliamentarian that under the wording of the proposed resolution it should go to the Committee on Military Affairs. The language is as follows:

That a special committee of 10 Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the facts relating to the attack made by the Japanese armed forces upon the Territory of Hawaii on December 7, 1941.

The parliamentarian is of the opinion that that is a military matter, and that it should go to the Committee on Military Affairs. Has the Senator from Michigan any objection to that?

Mr. FERGUSON. I have no objection. As I stated in the beginning, I thought it was appropriate that it go to the Committee on the Judiciary; but there was no intention to select a committee.

The ACTING PRESIDENT pro tempore. Of course, the Senator would have the right to move that the resolution be referred to any particular committee; but the ruling of the Chair is that it should go to the Committee on Military Affairs. Without objection, it will be referred to that committee.

FUNERAL EXPENSES OF THE LATE SENATOR SMITH, OF SOUTH CAROLINA

Mr. MAYBANK submitted the following resolution (S. Res. 337), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the

funeral of Hon. ELLISON D. SMITH, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

CONTINUATION OF AUTHORITY FOR INVESTIGATION OF THE PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL

Mr. O'MAHONEY submitted the following resolution (S. Res. 338), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 160, Seventy-fourth Congress, first session, agreed to July 10, 1935, authorizing a special committee to investigate the production, transportation, and marketing of wool, as extended, is hereby further extended and continued in full force and effect during the Seventy-ninth Congress; and the said committee may report to the Senate at any time prior to December 31, 1946. The said committee hereby is authorized to expend from the contingent fund of the Senate \$5,000, in addition to the amounts heretofore authorized for the same purposes.

ANNIVERSARY OF THE STAR-SPANGLED BANNER—SPECIAL POSTAGE STAMP

Mr. RADCLIFFE submitted the following resolution (S. Res. 339), which was referred to the Committee on Post Offices and Post Roads:

Resolved, That it is the sense of the Senate that, September 12, 1944, having been the one hundred and thirtieth anniversary of the writing of the Star-Spangled Banner, the Postmaster General should issue a special postage stamp, of such denomination, of such design, and for such period as he may determine, in commemoration of the author of our national anthem, Francis Scott Key.

CHANGE OF REFERENCE OF BILL—MISSOURI RIVER BASIN

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The resolution (S. Res. 332) submitted by Mr. BAILEY on November 16, 1944, was read as follows:

Resolved, That the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (S. 2100) to provide for the improvement and development of navigation, irrigation, and control of floods on the Missouri River and its tributaries, for the promotion of the national defense, and for other purposes, and that it be referred to the Committee on Commerce.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. BAILEY. Mr. President, with reference to both the Senate Resolution 332 and Senate Resolution 333, I believe I can make a statement which will clear them from the calendar.

I have talked with the senior Senator from Iowa [Mr. GILLETTE] and he has agreed that Senate bill 2100 may be withdrawn from the committee to which it was referred, and referred to the Committee on Commerce.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

CHANGE OF REFERENCE OF BILL—MISSOURI RIVER AUTHORITY

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The resolution (S. Res. 333) submitted by Mr. BAILEY on November 16, 1944, was read as follows:

Resolved, That the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (S. 2089) to establish a Missouri River Authority to provide for unified water control and resource development on the Missouri River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the strengthening of the national defense, and for other purposes, and that it be referred to the Committee on Commerce.

Mr. BAILEY. Mr. President, with respect to the bill introduced by the junior Senator from Montana [Mr. MURRAY], Senate bill 2089, I have had a conversation with the Senator, who is present, and who states that there is no intention at this time to take up the bill in the committee to which it was referred, and that there will be no action at this Congress. He has agreed that prior to introducing the bill and having it referred in the next Congress, he and I will have a conversation to see if we cannot settle the question. It is agreeable to me to allow the resolution to lie on the table until the Congress expires.

Mr. MURRAY. Mr. President, of course, it is understood that I am not committing myself on any question.

Mr. BAILEY. I understand. The Senator and I will have a conversation to try to settle the question. If we cannot settle it, it will be presented again in the form of a motion.

The ACTING PRESIDENT pro tempore. Without objection, Senate Resolution 333 will lie on the table.

MISSOURI RIVER BASIN (S. DOC. NO. 191)

Mr. O'MAHONEY. Mr. President, earlier in the session there was printed as Senate Document No. 191 the report of the Bureau of Reclamation on a plan for the development of certain projects in the Missouri Valley. After the submission of that document the Army engineers and the Bureau of Reclamation had a conference at Omaha, in which the two groups of engineers perfected an integrated report. It is an engineering document, which combines the feasible aspects of the Army engineers' report for the Missouri Valley and of the Bureau of Reclamation report for the Missouri Valley.

I ask unanimous consent that this integrated report be printed as a Senate document for the information of the Senate as a supplement to Senate Document No. 191.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PRONOUNCEMENT BY AMERICAN CATHOLIC HIERARCHY ON INTERNATIONAL ORGANIZATION FOR PEACE

Mr. BROOKS. Mr. President, at the close of a solemn conclave on interna-

tional order, the American Catholic Hierarchy, on Saturday last, released a most profound pronouncement following the deliberations of the Catholic bishops of the United States. It appeared in the Washington Sunday Times-Herald.

It is a statement of principles calling for a post-war world of "freemen and free nations with their freedom secured under law."

Because of the significance of this pronouncement, I had intended to ask unanimous consent to have it printed in the Appendix of the RECORD, but I am informed that it appears in the RECORD of yesterday at page A4775.

Mr. WALSH of Massachusetts. Mr. President, I also had intended to ask to have printed in the RECORD the statement issued by the Catholic bishops. In view of the statement of the Senator from Illinois [Mr. Brooks], of course I shall not ask that it be again printed.

SHAPING THE ECONOMIC FUTURE—EMPLOYMENT OF VETERANS—ADDRESS BY BRIG. GEN. FRANK T. HINES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on the subject Shaping the Economic Future—Employment of Veterans, delivered by Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs and Administrator of Retraining and Employment, before the Academy of Political Science at New York City, November 15, 1944, which will appear hereafter in the Appendix.]

PROPOSED MISSOURI VALLEY AUTHORITY—ADDRESS BY DAVID E. LILIENTHAL

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address on the subject of the proposed Missouri Valley Authority, delivered by David E. Lilienthal, Chairman of the Tennessee Valley Authority, before the State convention of North Dakota Farmers Union in Bismarck, N. Dak., November 3, 1944, which will appear hereafter in the Appendix.]

The ACTING PRESIDENT pro tempore. The morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Ellison D. Smith, late a Senator from the State of South Carolina.

FLOOD-CONTROL PROJECTS

Mr. OVERTON. Mr. President, I move that the Senate proceed to the consideration of House bill 4485, the flood control bill.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. BAILEY. Mr. President, will the Senator yield to me?

Mr. OVERTON. I am very glad to yield to the Senator from North Carolina.

Mr. BAILEY. I wish to say to the Senate that the Senator from Louisiana, who has the floor and has yielded to me for a moment, will have charge of this bill. I intend to support him so far as possible.

Beginning early in last April, the Senator from Louisiana conducted hearings on the flood control bill and the river and harbor bill, and is now conducting some rather abbreviated hearings on the St. Lawrence seaway proposal. He has worked with great diligence and understanding. I feel that I owe him a great debt of gratitude for his labors. I owe it to him to make a statement on the floor of the Senate.

I do not know of any other Senator so competent to deal with our waterways as is the senior Senator from Louisiana. I doubt if there could be found, in the Senate or elsewhere, a man who could work on this legislation as diligently and patiently through the long summer months, until just recently, as has the Senator from Louisiana. I believe that he knows more than any of us about the waterways of the United States, including canals, rivers, and flood control works. In the committee I lean upon him almost completely in that field. The hearings were very long and tedious. The bills covered the whole country; but the Senator from Louisiana stood to his task day after day, and brought a great deal of intelligence, as well as patience, to his labors. I wish to thank him with all my heart.

I have just one other word to say about the matter. Whenever these bills come up in the Senate, I read in the newspapers that our old "pork barrel" is back. These bills relate to the whole post-war activities. We have had no bills of this character since the President vetoed the last such bill in June 1940. The amounts involved are enormous, but I do not think anyone can justly say that the pending bill is "pork barrel" legislation. On the other hand, every project in the bill has been approved by the Army engineers as an economic undertaking, and nothing has been put into the bill merely to please any Senator or by way of distribution of favor or patronage or "pork".

With that statement, Mr. President, I feel perfectly safe in leaving the whole matter of the conduct of the bill in the Senate to my distinguished friend the senior Senator from Louisiana [Mr. OVERTON].

Mr. OVERTON. Mr. President, I wish to thank the senior Senator from North Carolina for the very complimentary references he has made to me and to my work on the Commerce Committee. I wish to say that I am very grateful to him for the splendid cooperation he has given me and the other members of the full committee and the members of the subcommittee, and I wish particularly to make acknowledgment to the junior Senator from Ohio [Mr. BURTON] and the junior Senator from Oregon [Mr. CORBON] for their very faithful attendance

at all times at all meetings of the subcommittee, which, as the Senator from North Carolina has stated, lasted for many days.

Mr. MURRAY. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. MURRAY. Before the Senator from Louisiana proceeds with the presentation of the bill, I should like to have it made clear that I am opposed to the consideration of this proposed legislation at this time. I believe that the bill as it now stands does not adequately protect the rights and interests of the upper valley States in the Missouri River Basin, and that the bill is another piece of legislation which does not adequately cover the situation in my section of the country. I believe it is just another example of piecemeal legislation. It seems to me that the Congress would be acting wisely if consideration of this legislation was passed over until the next session, at which time we could consider a more comprehensive bill covering these flood-control projects and also providing for a unified development of the large river basins in the country.

Therefore, Mr. President, I wish to have it clearly stated in the RECORD that I am opposed to having the Senate proceed to the consideration of this bill at this time. I think it is unwise; I think it does not adequately cover the problems which should be covered in order to meet the conditions which will confront us when the war is over. If we are to meet the great problems which will confront this country at the end of the war, I think we must have comprehensive legislation for the development of these various river valleys. Especially in the Missouri River Basin there is opportunity for a huge program of reclamation and industrial development through which we may provide homes for many thousands of persons who can be settled in that part of the country after the war is over. But that can only be done by legislation more comprehensive than the bill which is before us at this time.

So, Mr. President, I wish to have the RECORD show clearly that I am not in favor of this legislation at this time.

Mr. OVERTON. Mr. President, the pending bill contemplates that the projects to be authorized will be constructed, for the most part, in the post-war period. It is not exactly correct to say that all the projects provided for in the bill are post-war projects. The provision as now written in the bill is as follows:

When the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements.

It is necessary Mr. President, that the bill be enacted as promptly as possible, because after the various projects have been authorized by Congress, the Army Engineers must proceed with the preparation of detailed plans. That work re-

quires considerable additional investigation and study. Therefore, the sooner the bill is passed the sooner can the Chief of Army Engineers and the Corps of Engineers proceed with the task of perfecting the plans and dealing with the projects which will be authorized.

Mr. President, as the senior Senator from North Carolina has very well pointed out, this bill is in no sense a pork barrel bill. I do not think there is any bill which comes before the Congress—and I say this, not with particular reference to the pending bill, but with reference to flood control bills and river and harbor bills generally—which undergoes more careful scrutiny than do such bills before they are submitted for the consideration of the Congress. The pending measure is not a pork barrel bill, because every project contained in it on which a report has been made has been initiated locally among local interests; and after they had proposed the particular project, the Congress of the United States authorized the making of a preliminary survey and investigation of it.

The Chief of Army Engineers and the Corps of Engineers cannot undertake an investigation of any flood-control projects or any river and harbor projects unless they receive a mandate from the Congress to do so. That mandate is contained in a direction and an authority to make a preliminary examination and survey of the proposed project. When that is done, the Chief of Army Engineers sends the proposal to the district engineer within whose jurisdiction the project lies. The district engineer begins by collecting all the available data the engineers have with reference not only with respect to the project itself, but with respect to the whole area and with respect to its relation to other projects and other streams. After the district engineer has made this preliminary study, he sets down the matter for public hearing, and at the hearing representatives of local interests and all others who are interested one way or the other are given an opportunity to appear and to be heard, and a record is made of the testimony taken, as given by the proponents and the opponents of the project.

After that is done, the district engineer proceeds to formulate a report on the project, either favorable or unfavorable. He sends it to the division engineer. When it reaches the division engineer, it undergoes close scrutiny at his hands. When the division engineer has completed his work, he sends the report to the Board of Engineers for Rivers and Harbors. The Board of Engineers for Rivers and Harbors proceeds to the consideration of the project. At the request of anyone in interest, public hearings are conducted, and again the whole subject matter is reviewed and the testimony of witnesses for and against the project is taken down.

After such thorough consideration has been given by the Board of Engineers for rivers and harbors, the board makes such changes and modifications as it desires or recommends with respect to the project, and submits its report.

The report is then sent to the Chief of Engineers, who proceeds to the consideration of the project, and makes such

changes and alterations as he deems advisable.

After that has been done, Mr. President, the project is not sent immediately by the Chief of Engineers to the Congress, because if it is a project in which the Bureau of Reclamation is interested, or in which the Federal Power Commission is interested, the Chief of Engineers sends his proposed report to the Commissioner of the Bureau of Reclamation and to the chairman of the Power Commission for their comments and observations.

After that has been done the Chief of Engineers submits the matter to the Secretary of War, who transmits it to the Congress, and it is then printed as a public document, either as a House document or as a Senate document.

In addition to all the careful investigation to which I have referred and all the public hearings which have been conducted in reference to all the projects, monthly meetings are conducted in the city of Washington between the Chief of Engineers and his staff, the Commissioner of the Bureau of Reclamation and his staff, the Chairman of the Federal Power Commission and his representatives, and the Land-Use Coordinator of the Department of Agriculture. The purpose of the monthly meetings is to consider the different projects and the general picture with reference to the proper utilization of the waters of the Nation. The officials to whom I have referred consult and undertake to harmonize their differences and to come to an agreement as to what is best for navigation, for flood control, for irrigation, reclamation, power, and for agricultural development of the territory through which the waters flow.

Therefore, Mr. President, I do not believe any other bill coming before the Congress undergoes such careful scrutiny by experts and is the subject of such extensive public hearings as do the various river-and-harbor bills.

What happens? A bill is introduced either in the House or in the Senate, containing for the most part the various projects which have been recommended by the Chief of Engineers. The Flood Control Committee of the House—if the bill originates in the House, as it usually does—or the Committee on Rivers and Harbors of the House, sets the bill down for hearings and the public is invited to attend. All who are in favor of and all who are opposed to any project contained in either the flood-control bill or the river-and-harbor bill are given an opportunity to be heard before the committee.

Take, for example, the particular bill now before the Senate. The printed pages of testimony covered in the House hearings number 1,248. The period of time covered in the House hearings was from May 13, 1943, to February 23, 1944. After the bill passed the House and came to the Senate, the Senate Committee on Commerce proceeded to conduct hearings, and the period of time covered by the hearings on the bill in the Senate committee was from May 29 to June 15, 1944, and the number of printed pages in the record amounted to 816.

Mr. President, I wish to go back a step with reference to the action taken by the Chief of Engineers. I stated that all projects had to be initiated in Congress under authority for a preliminary examination and survey. They are not all approved, by any means. The majority of them are not approved. The majority of them are rejected. Since we passed the Flood Control Act of 1941, which was the last Flood Control Act to be passed, the total number of proposals which were investigated by the Army engineers was 203. Of those proposals only 78, or 38 percent, were approved. One hundred and twenty-five or 62 percent, were rejected.

So, Mr. President, I do not believe there is any bill which undergoes closer legislative scrutiny, more searching engineering scrutiny, and more diligent expert scrutiny before it reaches the floor of either the House or the Senate—I will include in that statement even our revenue and appropriation bills—than the various flood control and river and harbor bills. I wish to make that statement particularly clear.

As stated by the Senator from North Carolina this is not a pork-barrel bill. So far as the Army engineers are concerned, they have been dealing with navigation projects for 124 years. They have been dealing with flood-control projects ever since flood-control projects became a national obligation. I can say of the Bureau of Reclamation that for 40 years they have been studying what is necessary and proper in connection with the problems of irrigation, and in connection with other similar uses of water. They have become experts in that field. I believe that the Army engineers whom we have trained in peacetime work have justified their training by the services which they have rendered on the battlefields of the world. I believe that the Army engineers are by far the finest group of engineers, not only in the history of this Nation, but in the history of the entire world. The magnificent engineering works which helped the progress of our troops as they moved forward toward the enemy were prepared, planned, and constructed by engineers who had received experience in the United States of America, and its territories during peacetime in connection with rivers and harbors, and flood-control work.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks a breakdown by States of all the projects contained in the flood-control bill. I make the request so that information on the subject may be made available to Senators who may be interested in the matter. It is obviously impossible to segregate by States the cost of projects which are in more than one State. The tabulation will show the total cost of such projects in each State involved, and allocated to each State, instead of a distribution being made. Such projects in the report are marked with an asterisk.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944

[NOTE.—As it is obviously impracticable to segregate by States the costs of projects which are in more than 1 State, the tabulation below includes the total cost of such project in each State involved. Such projects are marked with an asterisk]

	First cost	Cost of maintenance and operation
Arizona:		
Alamo Reservoir, Bill Williams River.....	\$3,202,000	\$4,000.
Arkansas:		
*Mississippi River, Cairo, Ill., to Baton Rouge, La.....	200,000,000	
Narrows Reservoir and local flood protection on Little Missouri River ¹	3,800,000	\$20,000.
Blakely Mountain Reservoir, Ouachita River.....	11,080,000	\$61,000.
*Bocuf and Tensas Rivers and Bayou Macon, Arkansas and Louisiana.....	5,013,000	Local.
Arkansas River main stem:		
Fort Smith, levee, floodwall, and appurtenances.....	898,600	Do.
Van Buren, levee, floodwall, and appurtenances.....	329,000	Do.
Crawford County levee district, ¹ levee and appurtenances.....	1,546,000	Do.
McLean Bottom levee district No. 3, levee and diversion.....	517,000	Do.
Dardanelle drainage district ¹ (near Dardanelle), levees and appurtenances.....	122,500	Do.
Pope County levee district No. 1 and Conway County levee district Nos. 3 and 7 ¹ (west of Morrilton), levee, cut-off, and appurtenances.....	855,000	Do.
Conway County levee district No. 6, levee and appurtenances.....	371,000	Do.
Conway County levee districts Nos. 1, 2, and 8, levees and appurtenances.....	1,005,000	Do.
Roland drainage district, levee and appurtenances.....	339,000	Do.
Little Rock levees ¹ (east end Fourche Bayou), levees, intercepting ditch, 2 cut-offs, and appurtenances.....	465,200	Do.
Little Rock to Pine Bluff ¹ (head of Fourche Island to Pennington Bayou), ¹ levees and appurtenances.....	583,000	Do.
Tucker Lake area, ¹ levees and appurtenances.....	207,000	Do.
*White River Basin.....	45,000,000	\$250,000.
California:		
San Diego, San Diego River, levee.....	370,000	\$2,000.
Ventura, lower Ventura River, levee.....	1,080,000	Local.
Ojai, Stewart Canyon (Ventura River Basin), debris, basin, and channel.....	520,000	Do.
Santa Ana River Basin, including Lytle and Cajon Creeks ¹	10,000,000	Do.
Los Angeles and San Gabriel Basin and Ballona Creek ¹	25,000,000	Do.
Watsonville, Pajaro River, levee.....	452,160	Do.
Gilroy, Pajaro River Basin, levee.....	59,000	Do.
Sacramento River, ¹ initial stage consisting of extension of local protection along main stem, levees, and other local protection along tributaries, low Tahle Mountain Dam, and Black Butte Dam.....	15,000,000	\$135,000.
Folsom Reservoir, American River.....	18,474,000	Local maintenance of levees and channels are additional.
Isabella Reservoir, Kern River.....	6,800,000	\$50,000.
Terminus Reservoir, Kaweah River, and Success Reservoir, Tule River.....	4,600,000	\$25,000.
Pine Flat Dam, Kings River.....	19,700,000	\$13,000.
Merced County stream group.....	1,300,000	\$40,000.
Burns Creek Reservoir.....	\$171,800	Local operation and maintenance of all works except reservoirs is additional. \$4,000 Federal maintenance of reservoirs.
Bear Creek Reservoir.....	292,000	
Owens Creek Reservoir.....	168,800	
Mariposa Creek Reservoir.....	417,600	
Black Rascal Canal.....	68,800	
Owens Creek Canal.....	15,200	
Miles Creek Canal.....	6,500	
Lower San Joaquin River.....	8,000,000	
New Melones Reservoir; Stanislaus River, contribution to Don Pedro Reservoir to be built by local interests; channel improvements and levees on San Joaquin River and tributaries.....	3,868,200	\$14,600 maintenance and operation for channel by local interests.
Littlejohn Creek and Calaveras River group.....		
Farmington Reservoir, Littlejohn Creek.....	\$1,561,000	
Enlarge Hogan Reservoir, Calaveras River.....	1,942,000	
Diversions, channels, levees, and dikes.....	365,200	
Conn Creek Reservoir, Napa River.....	460,000	Local.
Colorado:		
Colorado Springs, Fountaine Que Bouille River, floodway and appurtenances.....	500,000	Do.
Trinidad, Purgatoire River, channel and levees.....	909,000	Do.
*Missouri River Basin ¹	200,000,000	
Cherry Creek Reservoir ¹	7,500,000	\$3,000.
Morrison, Bear Creek, channel clearing.....	220,000	Local.
Creede, Willow Creek, timber flume.....	68,500	Do.
Connecticut:		
*Connecticut River Basin.....	30,000,000	
*Thames River Basin.....	7,200,000	
Thomaston Reservoir, Housatonic River Basin.....	5,151,000	\$15,200.
Georgia:		
*Clark Hill Reservoir, Savannah River.....	35,300,000	\$223,000.
*Allatoona Reservoir, ¹ Mobile River Basin.....	14,400,000	\$50,000.
Hawaii: Hanapepe, Kauai Island, Hanapepe River, T. H., local flood protection.....	73,000	Local.
Idaho:		
Snake River between Heise and Roberts, channel improvement.....	734,000	Do.
Weiser, Snake River, bank protection.....	9,000	Do.
Illinois:		
*Ohio River Basin.....	70,000,000	
*Upper Mississippi River Basin.....	10,000,000	
Galena, Galena River, local protection.....	300,000	Do.
Illinois River, floodway at Big Prairie drainage and levee district.....	111,500	None.
Indiana:		
*Ohio River Basin.....	70,000,000	
Iowa:		
Red Rock Dam, Des Moines River ¹	15,000,000	\$55,000.
Des Moines, local flood protection along Des Moines and Raccoon Rivers.....	270,000	Local.
Sahula, Mississippi River.....	25,000	Do.
Elkport, Turkey River.....	13,000	Do.
*Missouri River Basin ¹	200,000,000	
Denison, Boyer River—local protection.....	17,830	Do.
Hamburg, Nishnabotna River.....	236,000	Do.
*Upper Mississippi River Basin ¹	10,000,000	
Kansas:		
*Arkansas River Basin ¹	35,000,000	
*Missouri River Basin ¹	200,000,000	
*Kansas City, Kans. and Mo., ¹ local protection.....	8,445,000	Do.
Kentucky:		
*Ohio River Basin.....	70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:		
Taylorville, Salt River, local protection (maintenance and operation).....	\$129,350	
Kentucky River Basin, ¹ Jessamine and Booneville Reservoirs (\$19,000 maintenance and operation).....	23,756,000	
Jackson Cut-Off, Kentucky River Basin (local maintenance and operation).....	66,000	70,000,000
Middlesborough, Yellow Creek—local protection (local maintenance and operation).....	205,200	
Rough River—channel improvement (local maintenance and operation).....	320,000	
Barnett Creek, Rough River Basin—channel rectification (local maintenance and operation).....	40,000	
*Mississippi River—Cairo, Ill., to Baton Rouge, La.....	200,000,000	

Footnote at end of table.

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944—Continued

	First cost	Cost of maintenance and operation
Louisiana:		
*Mississippi River, Cairo, Ill., to Baton Rouge, La.	\$200,000,000	
*Boeuf and Tensas Rivers and Bayou Macon, Ark. and La.	5,013,000	Local.
Red River, vicinity of Shreveport, bank protection	3,000,000	Do.
Maryland: *Ohio River Basin	70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: *Youghiogheny River Basin (\$423,000 maintenance and operation)	\$37,970,000	
Massachusetts:		
West Hill Reservoir, Blackstone River Basin	1,070,000	\$8,270.
Worcester Diversion, Blackstone River Basin	2,232,000	Local.
*Connecticut River Basin ¹	30,000,000	
*Thames River Basin ¹	7,200,000	
Minnesota: Red Lake River channel improvement and Red Lake control structures	902,940	\$2,000 plus channel maintenance by local interests.
Mississippi:		
*Mississippi River, Cairo Ill., to Baton Rouge, La.	200,000,000	
Yazoo River tributaries	3,752,000	Local.
Yazoo River, Sattalia area	1,952,000	Do.
Missouri:		
*Upper Mississippi River Basin ¹	10,000,000	
*White River Basin ¹	45,000,000	
St. Genevieve levee district No. 1, ¹ levee extension	141,000	Do.
*Missouri River Basin ¹	200,000,000	
Chariton River, local protection	1,610,300	Do.
*Kansas Citys, Kans. and Mo., ¹ local protection	8,445,000	Do.
*Mississippi River, Cairo, Ill., to Baton Rouge, La.	200,000,000	
Montana:		
Harlem, Milk River, ¹ local protection	21,100	Do.
Havre, Milk River, local protection	313,100	Do.
Nebraska: *Missouri River Basin ¹	200,000,000	
New Hampshire: *Connecticut River Basin ¹	30,000,000	
New York:		
*Ohio River Basin	70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: Lake Chautauqua and Chadakoin (\$3,135,500, local maintenance and operation) River area, Conewango Creek.		
*Southern New York and eastern Pennsylvania, ¹ Susquehanna River Basin	4,755,000	
Panther Mountain Reservoir, Black River	600,000	Do.
Chittenango Creek, channel improvement	111,000	Do.
Owasco inlet and outlet, and tributaries, channel improvement and appurtenant works	64,200	Do.
Mount Morris Reservoir, Genesee River	5,360,000	\$26,800.
North Carolina:		
*Roanoke River Basin, Buggs Island and Philpott Reservoirs	36,140,000	\$164,100.
*Yadkin-Pee Dee River Basin, Wilkesboro Reservoir	10,840,000	\$62,200.
North Dakota:		
Bald Hill Reservoir, Sheyenne River	810,000	\$6,000.
Reservoirs on Tongue and Pembina Rivers	333,800	\$5,000.
Reservoir on Park River	358,610	\$2,050.
*Missouri River Basin	200,000,000	
Beulah, Knife River, local protection works	26,100	Local.
Hazen, Knife River, local protection works	6,600	Do.
Ohio: *Ohio River Basin	70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:		
Dillonvale, Short Creek (local maintenance and operation)	\$94,100	
Adena, Short Creek (local maintenance and operation)	64,100	
Burr Oak Reservoir, Hocking River (plus \$6,000 maintenance and operation; local interests to maintain water supply portion in addition)	400,000	
Oklahoma:		
*Arkansas River Basin	35,000,000	
Arkansas River main stem:		
Tulsa and West Tulsa, bridge modification	133,000	Do.
Jenks, levee	264,000	Do.
Near Fort Gibson, levees and appurtenances	260,100	Do.
Dirty Creek bottom, levee and appurtenances	421,000	Do.
Tucker Lake bottom, levee and appurtenances	485,000	Do.
Braden bottom, levee and appurtenances	192,000	Do.
Big Skin Bayou-Camp Creek bottom, levee and appurtenances	349,000	Do.
Moffett bottom, levees, relocations, and appurtenances	\$57,000	Do.
Oregon:		
Nehalem River	23,000	Do.
Willamette River Basin ¹	20,000,000	
Arlington, Alkali Canyon	118,000	Do.
Coquille River	143,000	Do.
Pennsylvania:		
Susquehanna River at Harrisburg ¹	2,227,000	Do.
Tyrone, Susquehanna River Basin	1,392,000	Do.
*Southern New York and eastern Pennsylvania, ¹ Susquehanna River Basin	4,755,000	
Raystown Reservoir, Susquehanna River Basin	2,000,000	\$90,000.
*Ohio River Basin	70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:		
Latrobe, Loyalhanna Creek (local maintenance and operation)	\$112,500	
Turtle Creek Reservoir (plus \$15,000 maintenance and operation, plus maintenance of channel below reservoir by local interests)	2,613,000	
*Youghiogheny River Basin (\$423,000 maintenance and operation)	37,970,000	
Ridgeway, Johnsonburg, Saint Marys, and Brockway.		
Rhode Island:		
Woonsocket, channel improvement, Blackstone River Basin	803,000	Local.
Pawtucket, floodwall, Blackstone River Basin	82,000	Do.
South Carolina:		
Edisto River, channel improvement	139,000	Do.
*Clark Hill Reservoir, Savannah River	35,300,000	\$223,000.
South Dakota: *Missouri River Basin ¹	200,000,000	
Tennessee:		
*Ohio River Basin	70,000,000	
*Mississippi River, Cairo, Ill., to Baton Rouge, La.	200,000,000	
Texas:		
North Concho River, Colorado River Basin, Tex.	4,800,000	\$25,000. In addition, local interests maintain local protection works.
Pecan Bayou, Colorado River Basin, Tex.	1,560,000	\$2,000. In addition, local interests maintain enlarged Lake Brownwood Reservoir.
Whitney Reservoir, Brazos River Basin	15,000,000	\$70,000.
Utah: Sevier River at Redmond, Utah	281,000	Local.
Vermont:		
*Connecticut River Basin ¹	30,000,000	
*Winooski River Basin ¹	2,120,000	Do.
Virginia:		
*Roanoke River Basin, Buggs Island and Philpott Reservoirs	36,140,000	\$164,000.
*Ohio River Basin	70,000,000	

Footnote at end of table.

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944—Continued

	First cost	Cost of maintenance and operation
Washington:		
Pullman, Palouse River Basin.....	\$187,000	Local.
Colfax, Palouse River Basin.....	291,000	Do.
Raymond, Willapa River Basin.....	127,000	Do.
Hoquiam, Aberdeen, and Cosmopolis, Chehalis River.....	669,000	Do.
West Virginia: *Ohio River Basin.....	70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: Rowles-		
burg Reservoir, Cheat River (\$171,500 maintenance and operation).....	\$29,230,000	
Wisconsin: *Upper Mississippi River Basin ¹	10,000,000	

¹ Increased authorization for existing project.

Mr. OVERTON. Mr. President, with that preliminary statement I ask unanimous consent that the formal reading of the bill be dispensed with, that it be considered for amendment, and that the committee amendments be first considered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The first amendment of the Committee on Commerce will be stated.

The first amendment of the Committee on Commerce was, on page 1, line 3, after the word "assembled", to insert:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

Mr. OVERTON. Mr. President, the senior Senator from Kentucky [Mr. BARKLEY] has requested that the first committee amendment be passed over temporarily, and that course will be satisfactory.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over temporarily. The next amendment reported by the Committee on Commerce will be stated.

The next amendment was, on page 2, line 6, before the word "That", to insert "Sec. 2."

The amendment was agreed to.

The next amendment was, on page 2, line 20, to change the section number from 2 to 3.

The amendment was agreed to.

The next amendment was, on page 3, line 10, to change the section number from 3 to 4; in line 12, after the word "operate", to insert "public"; in line 16, after the word "lands", to strike out "structures" and insert "including structure"; in the same line, after the word "facilities", to insert "thereon"; and in line 18, after the word "provided" to strike out:

That licenses to Federal, State, or local governmental agencies for the use of areas suitable for public park and recreational purposes may be granted without monetary consideration when the Secretary of War determines such action to be in the public interest.

And insert:

That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted without monetary consideration, to such agencies for the use of areas suitable for public park and recreational purposes, when the Secretary of War determines such action to be in the public interest. The water areas of all such reservoirs shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and co-operatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. OVERTON. Mr. President, in connection with the amendment just stated the Commerce Committee yesterday authorized the chairman of the committee, the Senator from North Carolina [Mr. BAILEY], to offer an amendment, which, as I understand, would be a substitute for the committee amendment. I do not see the Senator from North Carolina in the Chamber at the moment.

The ACTING PRESIDENT pro tempore. Section 5 will be passed over temporarily.

Mr. OVERTON. Very well.

The ACTING PRESIDENT pro tempore. The next committee amendment will be stated.

The next amendment was, on page 5, line 8, to change the section number from 4 to 6, and in line 13, after the name "War Department" to insert a colon and

"Provided, That no sale of such water shall adversely affect then existing lawful uses of such water."

Mr. MILLIKIN. Mr. President, there will be some amendments offered to take the place of this section. I wonder if it would not be well to let the whole section go over temporarily.

Mr. OVERTON. Including the Senate committee amendment?

Mr. MILLIKIN. Yes.

Mr. OVERTON. I may say that all we are now doing is to pass on the Senate committee amendments. Is there any objection to the Senate committee amendment? Is the Senator later going to move to strike out this section?

Mr. MILLIKIN. It will later be moved to strike out the whole section. I suggest that it be passed over for the time being.

Mr. OVERTON. Very well. There is no objection to passing over section 6 temporarily.

Mr. WHITE. Mr. President, I take it this provision is something new in our legislation. I may be greatly in error, but I have not known of any previous legislation which authorized the Secretary of War or anyone else to sell stored waters. Am I correct that this is something new in our legislation, or is there a precedent for it?

Mr. OVERTON. The Secretary of War does not engage in the business of selling stored water.

Mr. WHITE. It is provided in the bill that he is authorized to sell surplus water that may be available in any reservoir.

Mr. OVERTON. I beg pardon. I see that amendment. What I was going to say is that all surplus waters stored in reservoirs are turned over to the Department of the Interior for distribution for irrigation purposes. It so happens that in connection with the sale for domestic and industrial uses of surplus water available in any reservoir under the control of the War Department, the committee has recommended an amendment which protects the existing lawful uses of the water. For instance, when a dam is constructed and water is impounded in it and there is nearby a lawful user of that water, we do not want to deprive him of his rights. Therefore, he is permitted to take water from the dam, but, of course, he does it under the direction of the Secretary of War.

Mr. WHITE. Under this provision as it now stands in the bill, I take it that the Secretary of War may first determine whether there is surplus water, what the amount of the surplus water may be, and

then he is authorized to sell all he determines to be surplus. Am I correct about that?

Mr. OVERTON. That is substantially correct.

Mr. MILLIKIN. Mr. President, I should like to say to the distinguished senior Senator from Maine that there will be an amendment proposed which will take away the power to sell water but leave the power to contract water. It is the contention of the western Senators that the Secretary of War has no power to sell water, because he does not own the water.

Mr. WHITE. That was the impression that occurred to me. I did not see, unless the Secretary of War has title to the surplus water, how he was going to have authority to sell and to pass title to someone else or the use of it to someone else.

Mr. OVERTON. The difference between the Senator from Colorado and the committee is a mere technical difference of words. The Senator from Colorado and those agreeing with him prefer using the word "contract" to the word "sale"—contract for the water, instead of sell the water. There will be no objection to that.

Mr. WHITE. That is a distinction without a difference, is it not?

Mr. OVERTON. I think so. However, the whole section 6 has been passed over temporarily and that amendment with it, at the request of the Senator from Colorado.

Mr. BAILEY. Mr. President, I had stepped out of the Senate Chamber for a moment, and did not know that this matter was coming up.

Mr. OVERTON. Section 5 was passed over temporarily until the Senator could come into the Chamber. I ask consent that the Senate return to the power amendment, which is section 5, which was passed over temporarily because of the absence of the Senator from North Carolina.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will return to the consideration of section 5, and the amendment will be again stated.

The LEGISLATIVE CLERK. On page 4, after line 13, it is proposed to insert the following:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. BAILEY. Mr. President, I sent forward in the morning hour an amendment to this section and I intended to have it printed for the information of Senators, but, if the Senate is ready to go ahead with it, I am, and I will ask that the proposed amendment be read at the desk.

Mr. OVERTON. I presume if it proves to be controversial we can pass it over for the time being.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from North Carolina to the committee amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, in section 5, it is proposed to strike out all after the word "cooperatives" in line 25, and to insert in lieu thereof the following:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. BAILEY. Mr. President, this amendment has the status of a committee amendment. It was submitted to the Commerce Committee yesterday morning. It was there thoroughly discussed and altered and the committee voted 9 or 10 to 3 to strike out the amendment as printed in the bill now before the Senate and to insert the amendment I have proposed in lieu thereof.

The ACTING PRESIDENT pro tempore. The committee has a right to modify its amendment.

Mr. BAILEY. So I take it, it would be in order for the amendment to be considered now as a committee amendment, if Senators are sufficiently informed about it.

The ACTING PRESIDENT pro tempore. The question will be on the committee amendment as modified.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BAILEY. I think the Senator from Louisiana has the floor.

Mr. OVERTON. I am glad to yield.

Mr. AIKEN. I do not think such a far-reaching amendment as that should be considered without the Members of the Senate having a chance to read it. The amendment deals with the entire power policy of the United States. Although it is worded well and sounds good the effect of it would be to turn over the public power of the United States, all power generated at public dams, to private utility companies, and if they did not want it at the end of 3 years, then the proper authority would have a chance to sell it to

the public; but if they wanted it they would get it. I cannot imagine the Senate acting on such an amendment as that without having a chance to read it and study it and let the people of the country know what is going on.

Mr. BAILEY. Let me say to the distinguished Senator from Vermont that I have no intention of perpetrating a crime in the Senate, and I hope I will not be considered as capable of perpetrating a very serious crime anywhere else. Amongst other things, I do not intend, as long as I live, to perpetrate the crime of reflecting on my fellow Senators in a debate.

I said that if the Senate was ready to proceed, I was ready, but if the Senate desires to have the amendment printed and placed on the desks of Senators, that is entirely agreeable to me. I wish to say, however, that I could not agree to the statement which the Senator from Vermont has made, which is about as just with respect to the amendment itself as it was with respect to those of us who are now accused of being about to perpetrate a crime in the Senate.

Mr. AIKEN. I grant the entire sincerity of the Senator from North Carolina in his viewpoint on some of these matters, which happens to differ from mine, but I do think Senators should have time to read the amendment and study it, and I am sure the Senator from North Carolina agrees with me in that.

Furthermore, it appears that if the amendment should be agreed to, it would have an effect on practically all the amendments, as well as all the projects, or most of the projects, authorized by the bill, and it seems to me that this should be one of the earliest matters in the bill to be disposed of, if not the earliest, because it might, and probably would, influence the votes of Senators on the other projects authorized by the bill.

Mr. BAILEY. I agree with the suggestion made that the matter go over until tomorrow, or, if the bill should stay here longer, it might go over for a longer period, but I would much rather dispose of it tomorrow, because I am really under some obligations to return to the aviation conference in Chicago, and I should like to get away. I shall consent that the matter be deferred until tomorrow, if the Senate is to be in session tomorrow. Meantime, I do not wish my amendment to be prejudiced by remarks from any quarter. It is an effort, a sincere effort, to state a proper live-and-let-live power policy, in view of the creation of enormous power by the bill. That is all the amendment is. But I shall defer any discussion until the amendment comes up in regular order, and I take it no one is seriously prejudiced in his mind by what has been said here. I think men do sometimes commit crimes with the utmost sincerity.

Mr. AIKEN. I might say it would be a crime on the part of the Senate, not necessarily on the part of the Senator from North Carolina, to consider the amendment without opportunity for study on the part of Senators.

Mr. BAILEY. I think the assassination of Caesar was sometimes charged to the entire Senate of Rome, but that did not affect the assassination at all, and it did not help the Senate. I do not think the Senate of the United States is remotely contemplating committing a crime now or hereafter, even in the name of liberty.

I merely send the amendment forward, and will let it go over until tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, the modified amendment of the committee will be printed for the information of Senators, and will lie on the table, and the pending amendment will go over.

Mr. OVERTON. Mr. President, I suggest that this is simply a modification of the committee amendment, and that the entire amendment, beginning with the words "Sec. 5", be printed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DOWNEY. Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. OVERTON. I yield.

Mr. DOWNEY. While this amendment is before the Senate, let me inquire whether its effect would be only on construction by Army engineers; and would not be upon construction by the Reclamation Bureau.

Mr. OVERTON. That is correct. It says "Electric power and energy generated at reservoir projects under the control of the War Department."

Mr. BURTON. Mr. President, will the Senator from Louisiana yield to me?

Mr. OVERTON. I yield.

Mr. BURTON. A moment ago the Senate approved the committee amendment to section 4, with which I concur, but I wish to ask the chairman of the subcommittee a question or two in order to help clarify the situation, in the interest of some who are much interested in the use of the War Department reservoirs for recreational purposes.

As I understand the effect of the amendment, it provides that the water areas of the War Department reservoirs shall be available to the public without charge. That would mean the use of the water and the use of access to the water, and that would be without charge. Is not that correct?

Mr. OVERTON. That is correct, for certain recreational purposes.

Mr. BURTON. But the activities on that water would still be subject to the fishing licenses and motorboat licenses of the areas concerned?

Mr. OVERTON. That is my understanding.

Mr. BURTON. And the surrounding park grounds or picnic facilities would not be covered so that they would have to be made available without charge, especially where it might be necessary to have some maintenance charges in order adequately to take care of those areas.

Mr. OVERTON. That is correct. All that is desired is that there may be access for recreational purposes by the public.

Mr. BURTON. The water may be used without charge for boating, bathing,

swimming, fishing, and other recreational purposes, together with ready access to and exit from such water areas?

Mr. OVERTON. That is correct.

Mr. BURTON. And this is all limited to reservoirs under the jurisdiction of the War Department?

Mr. OVERTON. That is correct.

Mr. MILLIKIN. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. MILLIKIN. Will the Senator tell us what happened to the committee amendment on page 1?

Mr. OVERTON. That was passed over temporarily.

The ACTING PRESIDENT pro tempore. The clerk will state the next amendment of the committee.

The next amendment was, on page 5, line 17, to change the section number from 5 to 7; and in line 18, after the word "storage", to strike out "available" and insert "allocated."

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. Did the Senator from Colorado object to the proviso on lines 13 and 14, page 5?

Mr. MILLIKIN. It was understood that that would go over.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over, and the clerk will state the next amendment of the committee.

The next amendment was, on page 5, in line 22, after the word "regulations", to insert a colon and the following proviso: "Provided, That this section shall not apply to the Tennessee Valley Authority except in case of danger from floods."

Mr. HILL. Mr. President, I have a copy of a letter under date of August 15, addressed to the distinguished Senator from Louisiana, signed by the chairman of the Tennessee Valley Authority, in which he suggests language in lieu of the amendment proposed, the language suggested by the chairman of the Tennessee Valley Authority being language agreed on between the Tennessee Valley Authority and the Army engineers and the War Department. I do not think the language suggested by the engineers and the Tennessee Valley Authority changes the intent or the purpose at all of the amendment reported by the committee, except that I think it makes it clearer and more specific, and is really better language. I hope the Senator has no objection to the language agreed on by the engineers and the Tennessee Valley Authority.

Mr. OVERTON. I have no objection. I think the meaning of both is the same.

Mr. HILL. The meaning is the same. Then, as a substitute for the committee amendment, I offer the following: "Provided, That this section shall not apply to the Tennessee Valley Authority, except that in case of danger from floods on the lower Ohio and Mississippi Rivers the Tennessee Valley Authority is directed to regulate the release of water to the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the War Department."

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. In lieu of the committee amendment on page 5, line 22, it is proposed to insert the following: "Provided, That this section shall not apply to the Tennessee Valley Authority except that in case of danger from floods on the lower Ohio and Mississippi Rivers the Tennessee Valley Authority is directed to regulate the release of water to the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the War Department."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Alabama in the nature of a substitute for the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 5, after line 24, it is proposed to strike out:

SEC. 6. Hereafter, whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations under existing reclamation law for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. Such rates, as the Secretary of the Interior may deem reasonable, shall be charged for the use of said storage; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts:

And to insert:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing.

Mr. MILLIKIN. Mr. President, that is a controversial section, and I suggest that it go over.

Mr. OVERTON. I did not know it was controversial.

Mr. MILLIKIN. We have proposed a section 8 which is different from the section 8 now appearing in the bill.

Mr. OVERTON. Then, I ask that the amendment be passed over temporarily.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over.

The next committee amendment will be stated.

The next amendment was, on page 8, after line 12, to insert:

LAKE CHAMPLAIN BASIN

Modifications of the existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin, Vt., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 629, Seventy-eighth Congress, second session, at an estimated cost of \$2,120,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 19, to insert:

BLACKSTONE RIVER BASIN

The project for the West Hill Reservoir on the West River, Mass., for flood control and other purposes in the Blackstone River Basin is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$1,070,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 2, to insert:

The project on Blackstone River for local flood protection at Worcester, Mass., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$2,232,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to insert:

The project on Blackstone River for local flood protection at Woonsocket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$803,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to insert:

The project on Seekonk River for local flood protection at Pawtucket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of \$82,000.

The amendment was agreed to.

Mr. AUSTIN. Mr. President, at the appropriate time I intend to offer, on page 9, following line 21, "Connecticut River Basin", an amendment which would read:

Section 3 of the act approved August 18, 1941 (55 Stat. 638), paragraph entitled "Connecticut River Basin," is amended by striking out the words "with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers."

The ACTING PRESIDENT pro tempore. That amendment will be taken up when the consideration of individual amendments is reached, as the Chair understands.

Mr. AUSTIN. I thank the Chair. I should like to have notice taken of the fact that I offer the amendment and ask that it be printed.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be printed and will lie on the table.

Mr. OVERTON. Mr. President, if I may ask a question of the Senator from Vermont, Is the effect of his amendment to abrogate the authorization affecting the Connecticut River Basin or would the authorization remain with authority for such modifications in the future as may be proposed?

Mr. AUSTIN. The amendment would abrogate simply a special part of the authorization made in 1941 which is rather novel. I believe that there is no other similar authorization in any bill which has ever been passed by Congress. It is a sort of sleeper, a thing which escaped our notice heretofore. Under the provision it is clearly possible that tomorrow, after Congress shall have enacted a bill, it would be entirely in the discretion of the Secretary of War and the Chief of Engineers to undo what Congress has agreed to as a policy. This authorization is exceedingly sweeping, as I interpret it, and as people in the neighborhood of the West River Valley interpret it. The Army engineers, under the Secretary of War, could go down the river and flood Brattleboro, because that would be such a further modification of the plan as is specified in the bill referred to. This is only a part of the issue with which the distinguished Senator from Louisiana is familiar.

Mr. OVERTON. Then the amendment refers only to the modification authority at present vested in the Chief of Engineers?

Mr. AUSTIN. Yes; it relates to a past authority, and I suspect that the distinguished Senator from Wyoming [Mr. O'MAHONEY] will have a more comprehensive amendment to offer which will reach back to the Connecticut River Basin. So I hope the distinguished Senator from Louisiana will allow this subject of the Connecticut River Basin to be passed over for the present time.

Mr. OVERTON. I shall be very happy to let it be passed over. I was hopeful, however, that the Connecticut River Basin project could be taken up by itself, and not be related in any way to the Missouri River Basin because it does not bear any relation geographically to it, and I would be very happy to consider it by itself as a separate amendment. However, of course, that is entirely within the discretion of the Senate and the Senator from Vermont.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. AUSTIN. Yes; I yield.

Mr. MALONEY. I thank the Senator. I should like to know if the language which he proposes on page 9 would strike out the present language beginning on line 21 "Connecticut River Basin"?

Mr. AUSTIN. No; it would follow those three words "Connecticut River Basin," and it would constitute the first paragraph under that heading.

Mr. MALONEY. Would it have any bearing upon the language now in the bill?

Mr. AUSTIN. Yes.

Mr. MALONEY. Will the Senator tell me what bearing it would have?

Mr. AUSTIN. Yes. Mr. President, the language now in the bill refers expressly to "the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin."

The language comprehends the authority which is expressed in the amendment which I offer. That is, besides expressly authorizing the appropriation of a sum of money for the construction of specific projects named in the plans there specified, there is this rider hitched on which is peculiar evidently to the Connecticut River Basin. Why it was put there I do not know. But it is extremely effective because it would enable the Secretary of War and the Chief of Engineers to do anything in the Connecticut River Basin if they in their discretion found it justifiable.

The first thing it seems to me for Congress to do is to take away from the Secretary of War and the Chief of Engineers that extraordinary dominion over the plan. All other plans must be submitted to us before an authorization is made. No authorization must be made until Congress approves the plan. But on the Connecticut River, with that sleeper in the bill, we can approve a plan one day, and the Secretary of War and the Chief of Engineers can alter it or amend it under this authority "with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers." I want that language stricken from the act.

Mr. MALONEY. I should like to ask the Senator a further question, if I may. Does he maintain that under the existing language in the law the Army engineers, if they so desired, could build a dam at Springfield, Mass.?

Mr. AUSTIN. Yes, of course. They could build one anywhere in the Connecticut River Basin. This was called to the attention of the public and to the Government back in June 1944. That was the first notice I had of this extraordinary element that was in the authorization of 1941, and this is the first opportunity we have had to attempt to delete it.

Mr. MALONEY. Is the Senator especially concerned, if I may ask him this question, with the dam on the West River which is already planned? Is that his particular concern now?

Mr. AUSTIN. Yes; we are especially concerned about that dam.

Mr. MALONEY. And would the language of the Senator's proposed amendment, if it were adopted, deny the Army engineers the right to proceed with those plans?

Mr. AUSTIN. No; it would not have that effect, except in this way, that we might today delete from the bill authority to build the Williamsville Dam on the West River, and tomorrow the Army engineers might go right to work on it and build it under a modification

authorized by the act of 1941, which reads:

With such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

Mr. MALONEY. And does the Senator insist that if we sometime later appropriated the \$30,000,000 which is authorized in the pending bill, the Army engineers could spend it in any way they desired on the Connecticut River?

Mr. AUSTIN. That is my interpretation of that sleeper clause. We have given them carte blanche on the Connecticut River Basin by that clause.

Mr. MALONEY. I thank the Senator.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. LANGER. It is true, is it not, that the engineers do not have to give notice to anybody?

Mr. AUSTIN. That is true, as the law stands.

Mr. LANGER. The Governor is not notified, and they simply go ahead and do the work.

Mr. AUSTIN. That is true. There are no hearings.

Mr. MALONEY. That is true with respect to any river and harbor project which the Congress authorizes.

Mr. AIKEN. Mr. President, I expect to join my colleague in the effort to strike out the dam at the Williamsville site. I also wish to say that I am opposed to the committee amendment on page 10, beginning in line 5, which reads as follows:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

In passing over the subject of the Connecticut River Basin, is the proposed amendment also passed over at this time?

Mr. OVERTON. That is correct. It includes everything under the Connecticut River Basin.

Mr. AIKEN. I thank the Senator.

The ACTING PRESIDENT pro tempore. Without objection, the section under the heading "Connecticut River Basin," including the committee amendment on page 10, line 5, will be passed over.

The Clerk will state the next committee amendment.

The next amendment was, on page 12, after line 2, to insert:

ROANOKE RIVER BASIN

The general plan for the comprehensive development of the Roanoke River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document No. 650, Seventy-eighth Congress, second session, is approved and the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina, and the Philpott Reservoir on the Smith River in Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$36,140,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 13, to insert:

YADKIN-PEE DEE RIVER BASIN

The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin

for flood control and other purposes recommended by the Chief of Engineers in House Document No. 652, Seventy-eighth Congress, second session, is approved and the construction of the Wilkesboro Reservoir on the Yadkin-Pee Dee River in North Carolina is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$10,840,000.

Mr. OVERTON. Mr. President, the committee has modified its amendment in reference to the Yadkin-Pee Dee River Basin. The Senator from North Carolina [Mr. BAILEY] will present the modification.

Mr. BAILEY. Mr. President, the amendment which I offered, and which the committee unanimously approved, reads as follows:

On page 12, after line 14, strike out lines 15 to 23, inclusive, under the title "Yadkin-Pee Dee River Basin" and insert in lieu thereof the following:

The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control, and other purposes, recommended by the Chief of Engineers in House Document 652, Seventy-eighth Congress, second session, is hereby stricken from the bill and is referred to the Committee on Commerce to the end that hearings may be had from the people concerned and with instructions to report back to the Senate within 6 months.

It may seem a little odd that a Senator should ask to have stricken from the bill an item involving the approval of a \$10,000,000 project, and ultimately, I think, over \$100,000,000, but there is a good reason for it.

I am satisfied that we need flood control on the Yadkin River in the vicinity of Wilkes County. The engineers propose not only to build a dam there, but to build a long series of dams through the State, where absolutely no flood control is involved. That is the first objection.

The second objection is that the dam proposed at Wilkesboro would flood permanently more land, more homes, and more territory than have even been flooded below the dam. That is a singular statement to make, but it is a true statement. The dam at North Wilkesboro would flood 13,000 acres of land, extending all the way through Wilkes County up to the foothills of the Blue Ridge at the place called Happy Valley, a place with which I am familiar.

We all know Mr. DOUGHTON. I believe he is now the dean of the House. He has been in the House for 36 years. The county of Caldwell, where the Happy Valley region lies, and where this land would be flooded, is in his county of Caldwell. A portion of it is in Wilkes County. Mr. DOUGHTON appeared before the committee yesterday and stated that in his long career in the House of Representatives he had never known the people of his section to be so stirred up, so indignant, and so fearful of the disaster of permanent flooding of their lands and the driving of the people from their homes and farms.

I can corroborate that statement. Ever since this item was placed in the bill—and I was not here when it was placed in the bill—I have received almost endless protests. To give an example, the

bishop of the Episcopal Church for western North Carolina wrote me a letter in August, and stated that he thought that the Patterson School, which is a very fine school in Happy Valley, would be destroyed, and he begged me to take some steps which would prevent that disaster.

The Happy Valley and the Valley of the Yadkin above North Wilkesboro, and above the site of the proposed dam, have been occupied and cultivated by the people of that section ever since the days of the Revolution. It is not an abandoned wilderness. It is a valley of fine homesteads and farms, and abundant timber. The people living there do not understand why they should be flooded out forever, and they do not think that the offer of the compensation means anything. Neither do I. No one could pay me enough money to induce me to give up my home for the purpose of building a dam. I love my home and I am attached to it. Those people make their living on those farms. They have never known anything else.

I am in favor of a flood-control project in the neighborhood of North Wilkesboro. I believe that the floods of the Yadkin Valley should be ended. I just voted for a flood-control project on the Roanoke River. That is the section of the bill immediately preceding the one under discussion. But I am not in favor of erecting a power dam where no power is really needed, and where the price to be paid is not \$10,000,000, but the welfare and happiness of the population extending from Wilkesboro all the way to Happy Valley in Caldwell County. I am not in favor of that. I do not care who knows it. I will shout it from the house-tops in North Carolina, and my statement will be approved by the people of North Carolina. I am not in favor of destroying the homes of the people. I am thoroughly responsive to the petitions which have been filed with me. I am satisfied that the people of North Wilkesboro, who would profit to some extent by a dam, do not wish to destroy the homes of their fellow citizens all the way up the river to the foothills of the mountains.

I ask that this amendment be adopted in lieu of the language in the bill. If it is adopted, I shall request the engineers to prepare for me a survey with a view to arresting the floods in the Yadkin Valley, and at the same time with a view to preserving the homes of the people in that valley.

Mr. OVERTON. Mr. President, after the representations made by the senior Senator from North Carolina before the full committee in reference to the Yadkin-Pee Dee River Basin, I was in accord with the views expressed by him, as were all the other members of the committee. However, I wish to say that the Corps of Engineers is not at fault in making a report as to what power could be developed on the Yadkin and Pee Dee Rivers. The Corps of Engineers was acting under a direction from the Congress of the United States. The Congress of the United States provided in the resolution adopted on April 1, 1937, and in another one adopted on November 1,

1938, as follows—I will not read all of them:

That the Board of Engineers for Rivers and Harbors—

And so forth and so on—

is hereby requested to review the report on the Yadkin-Pee Dee River of North Carolina and South Carolina, published in House Document No. 68, Seventy-third Congress, first session, with a view to determining the advisability of modifying the existing projects for navigation on the Pee Dee River to provide for improved navigation to Cheraw, S. C., and for the development of hydroelectric power in that vicinity.

Then, in connection with the review of the reports on preliminary examination and survey for flood-control development and development of hydroelectric power on Rocky River—Love's Ford and Crump's Ford—N. C., and at Wilkesboro Dam, Yadkin River, N. C., we find that these reviews were authorized by section 7 of the Flood Control Act of June 22, 1936.

Therefore, the Corps of Engineers simply made a report, as directed by Congress. It contained these power projects as well as the flood-control and navigation projects.

I wish to make the further observation that I regret very much that the senior Senator from North Carolina was not present when the project came up for hearing before the subcommittee. Unfortunately, he was absent because he was not well at the time, and could not be present. But no objection was made by anyone. The testimony in respect to the project was without contradiction that it was feasible, from an engineering standpoint, and economically justified. With that testimony before it, the full committee authorized it. As soon as the senior Senator from North Carolina stated his objections to it, and inasmuch as the project is one wholly within his State, the committee had no objection whatsoever to the amendment he proposed. Therefore, I am perfectly willing that the amendment as modified be adopted.

Mr. BURTON. Mr. President, as a minority member of the subcommittee, I wish to join in the same request. When the matter originally came up for consideration, we merely had before us a report of the engineers. No opposition was presented at the hearings by any Member of the Senate or by others, due particularly to the illness of the senior Senator from North Carolina. But on the further consideration by the full committee, both the senior Senator from North Carolina [Mr. BAILEY] and Representative DOUGHTON of North Carolina, from the district immediately involved, asked for the adoption of the amendment now proposed, which amounts to a withdrawal of the committee proposal and provision for a further survey in that area. The committee was unanimous in approving the adoption of the modified amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment.

Mr. BAILEY. Mr. President, I wish to say that I am not in the slightest degree disposed to disagree with the Army

engineers. I am not bringing accusations against anyone. I am merely pointing out what would be the consequences of construction of the dam.

So far as the matter of being heard is concerned, I believe I am perfectly safe in saying that the report of the engineers was not printed or available, and the people knew nothing about it. I know I am safe in saying that when the people found out what was to happen to their homes they were in utter consternation and dismay, and people from all locations and from every class appealed to me and to Mr. DOUGHTON in the same way.

So there is nothing for me to do except to endeavor to have another survey made. When we get one, I hope we shall have a dam which will prevent floods in the Yadkin Valley. If it is confined to that, the needs of the situation will be satisfied.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. AIKEN. Can the Senator tell us how many homes are involved in this project?

Mr. BAILEY. No; I am sorry that I cannot do so. I think perhaps Mr. DOUGHTON can. I do not think any census has been taken. The Happy Valley is at the end of the basin in which the water will be backed up. I am perfectly familiar with the Happy Valley. I have passed through it many times. Many other Members of Congress have done so; some other Senators may have passed through it. In the northwestern part of North Carolina is a summer resort known as Blowing Rock. It is a very popular summer resort. In reaching it one passes through the Happy Valley. Our commissioner of agriculture, the late Samuel Patterson, owned a large portion of the valley, and had a very fine home there. Everyone who goes there says, "This is the Happy Valley." It is a beautiful valley of fine land. Going downstream from that point—I shall make an approximation, and I think I am safe in doing so—for 20 miles one finds cultivated land, farm homes, and, of course, woodland. We have woodland all over North Carolina. But I have no way of estimating the number of people who would be seriously affected. I am simply saying that I think about as many people will be found in the valley of the Yadkin River and in that section of North Carolina as will be found in any other section of the State. The valley is not a mountain ravine; it is not a desert section. I think the fact that the valley has been known for about 75 years as the Happy Valley is an indication of its character.

Mr. AIKEN. Is it the expectation of the Senator that a further investigation will result in a plan by which there will be developed appreciable protection from floods, but without great destruction?

Mr. BAILEY. Yes; that is the thought of the people there; namely, to have a dam, but not to back up the water into the Happy Valley. Of course, that is the question, and I am glad the Senator asked it.

Today in America we are not merely controlling floods. In many cases only

a 50-foot or a 75-foot dam would be required for flood control. But a 150-foot dam is built for power. There is no right to do so. That is what is going on in America, and I think it has gone far enough. I think we should have more respect for the Constitution and should not spend our time damming our way around it.

But that is aside from the point here involved. All I wish to do is to protect the good people in that locality and then start afresh with a project for the construction of a dam which will prevent floods. When we obtain a measure providing for the construction of such a dam, I shall ask the Senate to vote for it, and probably I shall endeavor to have the measure brought up out of order.

The ACTING PRESIDENT pro tempore. The amendment as modified by the committee will be stated.

The CHIEF CLERK. On page 12, line 14, through line 23, it is proposed to strike out all the paragraph under the title "Yadkin-Peedee River Basin" and to insert in lieu thereof the following:

The general plan for the comprehensive development of the Yadkin-Peedee River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document 652, Seventy-eighth Congress, second session, is hereby stricken from the bill and is referred to the Committee on Commerce to the end that hearings may be had from the people concerned and with instructions to report back to the Senate within 6 months.

The ACTING PRESIDENT pro tempore. Without objection, the modified amendment is agreed to.

The next amendment of the committee will be stated.

The next amendment was, on page 12, after line 23, to insert:

EDISTO RIVER BASIN

The project for local flood control on Edisto River, S. C., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 182, Seventy-eighth Congress, second session, at an estimated cost of \$139,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 4, to insert:

SAVANNAH RIVER BASIN

The general plan for the comprehensive development of the Savannah River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document No. 657, Seventy-eighth Congress, second session, is approved and the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$35,300,000.

The amendment was agreed to.

The next amendment was, under the heading "Red-Ouachita River Basin", on page 15, after line 7, to insert:

The project on Red River in the vicinity of Shreveport, La., for flood control and bank protection is hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 627, Seventy-eighth Congress, second session, at an estimated cost of \$3,000,000, except that, in view of the large expenditure already made by local interests, they shall not be

required to contribute to the construction cost.

The amendment was agreed to.

The next amendment was, on page 15, after line 15, to insert:

The project for the Blakely Mountain Dam on the Ouachita River, for flood control and other purposes in the Ouachita River Basin, Ark., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 647, Seventy-eighth Congress, second session, at an estimated cost of \$11,080,000.

The amendment was agreed to.

The next amendment was, under the heading "Upper Mississippi River Basin," on page 17, line 8, after the word "Basin," to insert a comma and "including the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 651, Seventy-eighth Congress, second session, at an estimated cost of \$15,000,000."

The amendment was agreed to.

The next amendment was, on page 17, after line 20, to insert:

The project on the Des Moines River for local flood protection at Des Moines, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 651, Seventy-eighth Congress, second session, at an estimated cost of \$270,000.

The amendment was agreed to.

The next amendment was, on page 18, line 13, after the words "cost of", to strike out "\$418,000" and insert "\$300,000."

The amendment was agreed to.

The next amendment was, under the heading "Red River of the North Basin," on page 19, after line 7, to insert:

The project for the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes in the Sheyenne River Basin, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 193, Seventy-eighth Congress, second session, at an estimated cost of \$810,000.

The amendment was agreed to.

The next amendment was on page 19, after line 14, to insert:

The projects for the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin, N. Dak., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 565, Seventy-eighth Congress, second session, at an estimated cost of \$333,800.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to insert:

The project for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 194, Seventy-eighth Congress, second session, at an estimated cost of \$358,610.

The amendment was agreed to.

The next amendment was, under the subhead "Missouri River Basin," on page 21, after line 2, to insert:

In the interest of developing the natural resources of the Missouri River Basin there

is hereby created a commission to be known as the Missouri River Commission, which shall be in the War Department and shall function in accordance with existing law under the direction of the Secretary of War and the supervision of the Chief of Engineers in planning, constructing, operating, and maintaining improvements for navigation and flood control in the Missouri River Basin. The Missouri River Commission shall consist of the same number of members with the same qualifications and methods of appointment, replacement, and removal as prescribed in the act approved June 28, 1879, for the Mississippi River Commission and the compensation for the members of the Missouri River Commission shall be the compensation presently provided for members of the Mississippi River Commission. The president of the Missouri River Commission shall have the same qualification and shall be designated in the manner prescribed by existing law for the president of the Mississippi River Commission and he shall have the same functions and perquisites including title, pay, allowances, and rank while actually serving as president of the Missouri River Commission as well as the same subsequent retirement privileges under the same conditions as prescribed by law for the president of the Mississippi River Commission.

Mr. MILLIKIN. Mr. President, I should like to invite the attention of the distinguished senior Senator from Louisiana to the fact that the amendment which has just been read has aroused considerable controversy, and I suggest that it be passed over.

The ACTING PRESIDENT pro tempore. Without objection the amendment will be passed over.

Mr. OVERTON. I assume that the amendment which the Senator from Colorado has in mind is the one with reference to the Missouri River Commission?

Mr. MILLIKIN. That is correct.

Mr. OVERTON. I have no objection to the amendment going over, Mr. President.

The ACTING PRESIDENT pro tempore. The amendment will be passed over. The next amendment of the committee will be stated.

The next amendment was, on page 23, after line 21, to insert:

The plan of improvement for local flood protection on the Chariton River, Mo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 628, Seventy-eighth Congress, second session, at an estimated cost of \$1,610,300.

The amendment was agreed to.

The next amendment was, under the subhead "Ohio River Basin," on page 25, after line 9, to insert:

The plan of improvement for flood control and other purposes in the Kentucky River Basin, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 504, Seventy-eighth Congress, second session, at an estimated cost of \$23,822,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 14, to insert:

The local flood protection works at Middlesborough on Yellow Creek, Ky., substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 495, Seventy-eighth Congress, second session, at an estimated cost of \$205,200.

The amendment was agreed to.

The next amendment was, on page 25, after line 19, to insert:

The local flood-protection works on the Rough River and tributaries, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 535, Seventy-eighth Congress, second session, at an estimated cost of \$360,000.

The amendment was agreed to.

The next amendment was, at the top of page 26, to insert:

The Turtle Creek Reservoir on Turtle Creek, Pa., substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 507, Seventy-eighth Congress, second session, at an estimated cost of \$2,613,000.

The amendment was agreed to.

The next amendment was, under the heading "Great Lakes Basin," on page 27, after line 21, to insert:

The project for the Mount Morris Reservoir on the Genesee River, N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 615, Seventy-eighth Congress, second session, at an estimated cost of \$5,360,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 23, to insert:

GREAT SALT BASIN

The project on the Sevier River for local flood protection at Redmond, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 614, Seventy-eighth Congress, second session, at an estimated cost of \$281,000.

The amendment was agreed to.

The next amendment was, on page 29, after line 4, to insert:

COLORADO RIVER BASIN

The project for the Alamo Reservoir on the Bill Williams River, Ariz., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 625, Seventy-eighth Congress, second session, at an estimated cost of \$3,202,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 17, to insert:

PAJARO RIVER BASIN

The plan of improvement for local flood protection on the Pajaro River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 505, Seventy-eighth Congress, second session, at an estimated cost of \$511,160.

The amendment was agreed to.

The next amendment was, under the heading "Sacramento-San Joaquin River Basin—Sacramento River," on page 31, after line 2, to strike out:

The projects for the control of floods and other purposes on the Sacramento River, Calif., adopted by the acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendation of the Board of Engineers for Rivers and Harbors dated February 7, 1944, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$46,050,000; and in addition to.

And in lieu thereof to insert the following:

The projects for the control of floods and other purposes on the Sacramento River, Calif., adopted by the acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 649, Seventy-eighth Congress, second session, at an estimated cost of \$50,100,000; and in addition to.

The amendment was agreed to.

The next amendment was, on page 32, after line 4, to insert:

The project for the Folsom Reservoir on the American River, Calif., is hereby authorized substantially in accordance with the plans contained in House Document No. 649, Seventy-eighth Congress, second session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$18,474,000.

The amendment was agreed to.

The next amendment was, under the heading "San Joaquin River," on page 34, after line 8, to insert:

The plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 645, Seventy-eighth Congress, second session, at an estimated cost of \$3,868,200.

The amendment was agreed to.

The next amendment was, on page 34, after line 14, to insert:

NAPA RIVER BASIN

The project for the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 626, Seventy-eighth Congress, second session, at an estimated cost of \$460,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 15, to insert:

CHEHALIS RIVER BASIN

The project on Chehalis River for local flood protection at Hoquiam, Aberdeen, and Cosmopolis, Wash., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 494, Seventy-eighth Congress, second session, at an estimated cost of \$669,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 22, to insert:

TERRITORY OF HAWAII

The project on the Hanapepe River for local flood protection at Hanapepe, Island of Kauai, Territory of Hawaii, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on March 15, 1944, at an estimated cost of \$73,000.

The amendment was agreed to.

The next amendment was, on page 37, line 5, to change the section number from 8 to 10.

The amendment was agreed to.

The next amendment was, on page 38, after line 3, to insert:

Pasquotank River, North Carolina.

The amendment was agreed to.

The next amendment was, on page 38, line 9, after the word "Counties" to strike out "Florida," and insert "Florida."

The amendment was agreed to.

The next amendment was, on page 38, after line 11, to insert:

For flood control, rice irrigation, navigation, pollution, salt-water intrusion, and drainage on all streams and bayous in southwest Louisiana, west of the West Atchafalaya Basin protection levee, and south of the latitude of Boyce; on all streams and bayous in Louisiana lying between the East Atchafalaya Basin protection levee and the Mississippi River; and on Amite River and tributaries, Louisiana.

The amendment was agreed to.

The next amendment was, on page 39, after line 13, to insert:

Arkansas River above Pine Bluff, Ark., with special reference to control of caving banks in the vicinity of Hensley Bar and the McFadden Place, in Jefferson County, Ark.

The amendment was agreed to.

The next amendment was, on page 39, after line 24, to insert:

Corte Madera Creek, Marin County, Calif.

The amendment was agreed to.

The next amendment was, on page 40, after line 2, to insert:

Elkhorn River and its tributaries, Nebraska.

The amendment was agreed to.

The next amendment was, on page 40, line 4, to change the section number from 9 to 11, and in the same line, after the word "of", to strike out "\$810,000,000" and insert "\$959,465,000."

The amendment was agreed to.

The next amendment was, on page 40, line 17, to change the section number from 10 to 12, and on page 41, line 11, after the word "requirements", to insert a colon and the following additional proviso: "Provided further, That nothing in this section shall be construed as approving or authorizing the acquisition of any land by the Federal Government."

The amendment was agreed to.

The next amendment was, on page 41, after line 20, to insert:

SANTA YNEZ RIVER WATERSHED

The program on the Santa Ynez River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 518, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$418,000.

The amendment was agreed to.

The next amendment was, under the heading "Trinity River Basin (Tex.)," on page 42, line 8, after the word "of", to strike out "\$32,000,000" and insert "\$27,348,000."

The amendment was agreed to.

The next amendment was, under the heading "Little Tallahatchie River Watershed," on page 42, line 16, after the word "of", to strike out "\$4,221,000" and insert "\$2,171,000."

The amendment was agreed to.

The next amendment was, on page 42, after line 16, to insert:

YAZOO RIVER WATERSHED

The program on the Yazoo River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document

No. 564, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$12,500,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 17, to insert:

BUFFALO CREEK WATERSHED (NEW YORK)

BUFFALO, CAYUGA, AND CAZENOVIA CREEKS

The program on the watershed of Buffalo Creek and its tributaries, Cayuga, and Cazenovia Creeks, is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 574, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$739,000.

The amendment was agreed to.

The next amendment was, under the subhead "Washita River Watershed," on page 44, line 17, after the word "of", to strike out "\$11,243,000" and insert "\$7,007,000."

The next amendment was, on page 44, line 19, to change the section number from 11 to 13, and on page 45, line 4, after the word "section", to strike out "10" and insert "12."

The amendment was agreed to.

The next amendment was, on page 45, line 8, to change the section number from 12 to 14.

The amendment was agreed to.

The next amendment was, on page 45, after line 23, to insert:

SEC. 15. (a) The Chief of Engineers of the United States Army is authorized and directed to make examinations of any privately owned or operated dam constructed across navigable waters of the United States, or across tributaries thereof.

(b) Whenever it shall appear, after reasonable notice and opportunity for hearing to the person or corporation owning or controlling any such dam, that such dam is being operated or maintained in such a manner as to jeopardize the safety of persons or property either above or below such dam, the Chief of Engineers shall enter orders requiring such changes in the operation or maintenance of such dam as he deems appropriate and necessary, and prescribing a reasonable time within which such changes shall be made. If, at the end of such reasonable time, the changes in operation or maintenance ordered by the Chief of Engineers have not been made, the Chief of Engineers shall notify the United States district attorney for the district in which such dam or any part thereof is situated, who shall forthwith cause criminal proceedings to be instituted against the person, or corporation, owning or controlling such dam.

(c) Any person or corporation willfully failing or refusing to comply with an order of the Chief of Engineers issued pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000. Every month during which such willful failure or refusal continues shall be deemed to be a separate offense and shall subject such person or corporation to the penalties herein prescribed.

Mr. MILLIKIN. Mr. President, I suggest to the Senator from Louisiana that this is a very highly controversial amendment.

Mr. OVERTON. Mr. President, we have the evening before us, and I shall be glad later to return and take up some of the controversial items without wasting the afternoon. We can pass over this amendment temporarily.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over.

That completes the committee amendments with the exception of those passed over. The bill is before the Senate and open to further amendment.

Mr. OVERTON. Mr. President, I send to the desk an amendment and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. On page 14, after line 5, it is proposed to insert the following:

Paragraph (d) of the lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is amended to read as follows:

"The Chief of Engineers, with the approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to reflect the actual cash value, regardless of State or local assessment valuations, for providing, at the request of the United States, lands, rights-of-way, and flowage easements required for the set-backs of main-line Mississippi River levees: *Provided*, That such lands, rights-of-way, and flowage easements may be provided by local authorities in accordance with local legal procedure or custom; *Provided further*, That this paragraph shall apply to all such lands, rights-of-way, and flowage easements that have been required by the United States for such set-back levees since August 18, 1941, regardless of any reimbursement that may have been agreed upon or made since August 18, 1941."

Mr. OVERTON. Mr. President, I should like to make an explanation of the amendment. I offer the amendment not as a committee amendment, but in my own behalf. I should have been very glad to submit it to the committee but it did not come to my attention until during the recess. The committee has been so occupied with other matters that I did not have opportunity to present it.

I think the amendment is a simple one. Section 3 of paragraph (d) of the act of August 18, 1941, reads as follows:

The Chief of Engineers, with the approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with the local legal procedure or custom, rights-of-way and flowage easements required for the future set-backs of main-line Mississippi River levees.

Pursuant to such provision, where a set-back levee was constructed on any part of the Mississippi River, except in Louisiana, the Secretary of War reimbursed the local authorities for expenditures found by the Chief of Engineers to be reasonable. In other words, the United States Government paid for such flowage easements the actual cash value, which would be the reasonable value. As a matter of fact, that is what the Chief of Engineers determined, namely, the actual cash value. That was done in Mississippi, Arkansas, and other States. But the Constitution of Louisiana provides that the State of Louisiana itself, in acquiring easements for levee rights-of-way, may not pay more than the assessed value of the property. The assessed value is usually far below the actual value.

Because the provision of the act of 1941 requires that when the rights-of-way have been acquired the reimbursement shall be made in accordance with the local legal procedure or custom, the legislative branch of the engineering department has construed the language to mean that Louisiana may not pay more than the assessed value. The legislative branch of the engineering department has construed that to mean that Louisiana cannot be paid more than the assessed value for the land.

I think that interpretation is wholly wrong. I know something about the history of it. We had a similar act back, as I recall, in 1934, in reference to certain tributaries of the Mississippi River, and at that time General Markham, who was Chief of Army Engineers, did not want the rights-of-way to be abstracted and title passed on by the attorneys for the Federal Government. He said it took too long; that sometimes they were delayed for years before they could go ahead with the construction they had in mind; but he said, "You have in Louisiana a right of appropriation; a levee board can adopt a resolution appropriating any land needed for easement purposes for the construction of levees, and such appropriation vests title in the levee board regardless of who the owner may be." So I wish it stated in the bill that the lands and the easements are to be acquired in accordance with the legal local procedure or custom, so that we can take advantage of the appropriation provision of the Louisiana law. That is the real meaning of the expression "in accordance with the local legal customs and procedure." The legislative department of the engineers said that means that we cannot pay a bit more than the assessed value because under the Louisiana law the State cannot pay more than the assessed value. They have acquired some rights-of-way since then and have refused to reimburse the levee board more than the assessed value. I want to place Louisiana on a parity with Mississippi, Arkansas, Missouri, and other States up and down the line, where these rights-of-way are acquired, so that the owners can be paid the actual cash value deemed by the Secretary of War to be reasonable. With that explanation I submit the amendment.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on the adoption of the amendment offered by the Senator from Louisiana [Mr. OVERTON].

The amendment was agreed to.

Mr. REVERCOMB. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 26, it is proposed to strike out lines 11 to 15 inclusive, as follows:

The Rowlesburg Reservoir on the Cheat River, substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on November 26, 1942, at an estimated cost of \$29,230,000; and.

Mr. REVERCOMB. Mr. President, as will be noted, this amendment deals with

what is known as the Rowlesburg reservoir on the Cheat River. I am submitting the amendment because I do not believe that this project at the great expense involved, is justified. It calls for an expenditure of \$29,230,000. I think, perhaps, that the item should not be contained in this bill. This project would flood and cover thousands of acres of land with water and create a vast lake where land now exists.

Even with that result I would be less insistent in urging my views on this part of the bill if the project was in fact a flood-control project. But it is more than that, it goes further, under the guise of flood control it creates a power dam, with the result that many workers who earn their living in the production of coal—a principal means of livelihood in my State—would be probably thrown out of work. This provision of the bill is not good for my State or the population. I move the adoption of the amendment.

Mr. OVERTON. Mr. President, I have taken this position in reference to the projects contained in the bill, that where a project relates exclusively to one State and does not affect any other State and the Senators from that State desire that the project be not authorized, I am perfectly willing, if it is a committee amendment, to ask that the Senate reject the committee amendment. In this case this is a provision contained in the bill as passed by the House. I will raise no objection whatsoever to the amendment of the Senator from West Virginia, and we can take the amendment to conference and there thrash the matter out.

Mr. REVERCOMB. I thank the Senator from Louisiana.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from West Virginia is agreed to.

Mr. TAFT. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 38, after line 10, it is proposed to insert the following:

Clear Fork of the Mohican River, in Richland County, Ohio.

Mr. OVERTON. Mr. President, there will be no objection at all to that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. DOWNEY. I offer an amendment for the survey of the Napa River, Calif. I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 55, between lines 7 and 8, it is proposed to insert "Napa River, Calif."

Mr. OVERTON. That, as I understand, is a survey item?

Mr. DOWNEY. It is.

Mr. OVERTON. I think the page is wrong. There are not that many pages in the bill. I suggest to the Senator from California that he modify his amendment by providing that it be inserted on page 39, after line 22.

Mr. DOWNEY. Mr. President, I will ask that the amendment be modified in that respect.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. OVERTON. Mr. President, a parliamentary inquiry. Have all the amendments beginning on page 38 been adopted?

The PRESIDING OFFICER. The Chair is informed they have been adopted.

Mr. OVERTON. Have all the committee amendments been agreed to there?

The PRESIDING OFFICER. The Chair is so informed. The question is on agreeing to the amendment offered by the Senator from California [Mr. DOWNEY], as modified.

The amendment, as modified, was agreed to.

Mr. JENNER. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 26, between lines 20 and 21 it is proposed to insert the following:

No provision of this or any other act shall be construed to authorize the construction of Shoals Dam on the East Fork of the White River in Martin County, Ind.

Mr. OVERTON. Mr. President, I am sorry, but my attention was diverted and I did not hear the amendment.

The PRESIDING OFFICER. The amendment will be restated.

The Chief Clerk restated the amendment.

Mr. OVERTON. Mr. President, may we have an explanation of the amendment?

Mr. JENNER. Mr. President, I will say to the distinguished Senator from Louisiana that the situation involved is about the same as that explained on the floor of the Senate by the Senator from North Carolina [Mr. BAILEY]. It affects a community in which I have lived for the last 10 years. This matter has been discussed publicly for several years, ever since the Army engineers began their survey. I want it understood that I am in favor of flood control; however, this is really not a question of flood control; it is more a question of flood diversion, because this dam would back water up through the valley for miles, damaging farm lands of several counties, railroads, and highways, and affecting more than a thousand farms which, I am informed, contain the best farming land in this community.

The matter has been taken up with the Army engineers and they have promised as soon as possible to bring about a real flood program in this valley by a substitute proposal which involves planting, terracing, strip farming, and the construction of a series of several dams at the headwaters of the tributary to hold the water where it falls. We have a falling water table in this area. For instance, Columbus, Ind., has to go deeper each year for its water. The method proposed by the substitute program would raise the water level, control floods, and protect the best farm land

in five counties and save the farmers their homes.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. JENNER. I yield.

Mr. OVERTON. This dam is situated wholly in Indiana in the Senator's own State, is it not?

Mr. JENNER. That is correct.

Mr. OVERTON. Very well; and it affects merely the area in the vicinity?

Mr. JENNER. Yes. I now live only 20 miles from the proposed site of the dam.

Mr. OVERTON. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Indiana.

The amendment was agreed to.

Mr. TAFT. Mr. President, I should like to ask the chairman of the subcommittee whether the amendment relating to Reno Beach, Lucas County, Ohio, has been inserted in the bill.

Mr. OVERTON. It is a committee amendment. I presume it has been agreed to.

The PRESIDING OFFICER. The committee amendment has been agreed to. Does the Senator from Ohio wish to have the vote reconsidered?

Mr. TAFT. No. However, there is nothing in the printed bill relating to this project.

Mr. OVERTON. There is no objection to the amendment. I was under the impression it was in the bill.

Mr. TAFT. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 39, after line 13, it is proposed to insert the following:

Reno Beach, Lucas County, Ohio, with a view to protection of the Reno Beach-Howards Farm area and adjacent areas from floods caused by frequent windstorms and from increases in the lake level of Lake Erie.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. HAYDEN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 10, after line 10, it is proposed to insert the following:

The project on the Little Colorado River for local flood protection at Holbrook, Ariz., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 648, Seventy-eighth Congress, second session, at an estimated cost of \$258,000.

Mr. OVERTON. Mr. President, I think the Senator has the paging of the amendment wrong. It should be on page 29, after line 10.

Mr. HAYDEN. I should like to correct the page where the amendment is to be inserted.

The PRESIDING OFFICER. The correction will be made.

Mr. HAYDEN. Mr. President, let me explain the background of the amendment. Proper authorization was made by Congress for investigation of this project in the Flood Control Act of August 27, 1937. Investigation was made, and the project was recommended by the Corps of Engineers and the Bureau of the Budget. All the formalities required by law have been complied with. However, there was a rule of the Senate Committee on Commerce, of which I never before heard, that there must be a finding that the benefits equaled the amount to be appropriated, and that if the benefits were not equal, then an authorization should not be made.

In this case it was found that the benefits would amount to nine-tenths of the appropriation, but not ten-tenths. If it had been ten-tenths, this project would have come within the rule. Because of this one-tenth difference between the cost and the benefits, as found by the Army engineers, the committee, by a rule of its own, omitted this item from the bill. Do I correctly state the situation?

Mr. OVERTON. The Senator's statement is correct as to the facts.

Mr. HAYDEN. The situation is that the Army engineers have found actual benefits equal to nine-tenths of the appropriation. They also found unevaluated or intangible benefits to be exceptionally large. An intangible benefit is something that is very difficult to prove. Through the town of Holbrook runs the main line of the Santa Fe Railroad, a transcontinental line, double tracked. A river runs through the town, and if something is not done, floods will inundate the town, which is a county seat, with values of many hundreds of thousands of dollars, and tear up the railroad. So it is perfectly obvious that the benefits to be conferred are greater than the amount of the appropriation. But because of the words tangible and intangible, the committee has, it seems to me, split a very fine hair. If it could have been shown that the tangible benefits were equal to the amount to be appropriated, then the appropriation would have been allowed. The actual tangible benefits as found by the Corps of Engineers amount, as I have said, to nine-tenths of the amount to be appropriated. The committee does not take into consideration any intangible benefits, does not give us any credit for them at all, whereas as a matter of fact intangible benefits are and must be very much greater where there is a town of 2,500 people, a county-seat town, and there is a transcontinental railroad which is bound to be washed away unless this project is constructed.

Under such circumstances the chairman of the subcommittee should be willing not to split quite so fine a hair, and should consent that the amendment be agreed to by the Senate. It does not seem to me that such a strict adherence to the rule is justified in the light of the facts.

Mr. President, I have been at Holbrook and know exactly what the situation is. At one time the Little Colorado River there had a deep and well-defined channel, but due to overgrazing in the water-

shed, vast quantities of silt have come down and filled up the river bed, until now the bed of the river is above the level of the land in the town. The local authorities have themselves put in a temporary levee, as best they could, but any big flood, such as those which have occurred at different times on that stream, would bring about such a condition that that weak levee would not hold.

There is one other matter about determining what these benefits are. I think the Corps of Engineers has not adopted a rule which fits our western section of the country at all. Here in the East, where there are annual floods every year or two, where floods are frequent, it is perfectly proper to divide the damage done by the number of years in which the floods occur. In the western section of the country there is a totally different situation. We may run along in that arid section, as we do, with a series of drought years, or with slight rainfall at least, perhaps for 8 or 10 years. Then there will be a tremendous flood which does enormous damage, as I know western Senators will testify, I see before me the Senator from Colorado [Mr. MILLIKIN]. There have been floods in the city of Pueblo in his State from time to time which nearly washed the town away, but by the help of the Federal Government the town was protected.

If we are to divide the amount of damage done, which is certain to be done, at any one particular time, by the number of years in which floods occur, we do an injustice to all the western section of the country, where we have these torrential floods, and then have long dry spells. That kind of a rule can be adopted for the East, where floods are frequent. It is a sound rule in the East, but it does not fit in the West. So such a basic rule for determining the ratio of benefits to appropriations is not applicable. In the second place, if it were applicable, I contend that Holbrook comes nine-tenths within the rule. If it is that close, this amendment should be agreed to by the Senate.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. McFARLAND. I should like to ask my colleague if it is not a fact that the testimony was to the effect that the last flood did great damage to the town of Holbrook.

Mr. HAYDEN. There is no question about it. At that time the water came up over the part of the town between the railroad tracks and the river and almost broke the tracks.

Mr. McFARLAND. The raising of the river bed would make the damage much greater in the future.

Mr. HAYDEN. I was about to point out that the conditions have grown worse since the time to which I have referred, because of the accumulation of silt in the river bed, which has resulted, as the situation is today, in the bed of the river being higher than parts of the town. The river will just overflow a large part of Holbrook unless something is done about it.

Mr. McFARLAND. Mr. President, I should like to add that when the sub-

committee of the Committee on Reclamation and Irrigation held hearings in Arizona it was testified there that if this flood-control project was not put into effect the result would be that if another flood occurred it would practically wipe out the town of Holbrook.

Mr. OVERTON. Mr. President, the very able Senator from Arizona [Mr. HAYDEN] a moment ago wanted to know whether the statement he made was correct. It was very correct up to that time, but when he discussed the question of how the cost benefit ratio is calculated the Senator fell into certainly a very pardonable error. It is not a question of how much is to be appropriated or the total cost. The engineers consider what the annual costs are and they amortize them, and then they add the interest, and so on. Then, as against that they take the annual benefits which would be derived from the improvement.

When the annual benefits exceed the annual costs then the project is ripe for authorization. It is necessary that we have some rule about it, and we have had to adhere to it rather strictly, because it may be contended for instance, that if the cost benefit ratio is 50 to 100, then the project ought to be authorized. Such a contention might be made.

What is done in determining the benefits is this: The whole flood history of a particular stream is considered as far back as it can be found, and so far as it affects a particular town, and then there is ascertained the damage which has been caused throughout the years. If a great flood has swept away Holbrook, that would be considered, and that damage would be prorated over the years, and there would be added to it any additional damage that had occurred. That is the only systematic way to go about it.

The Senator from Arizona is very persuasive with me and with the committee, and I think with the Senate, and I am very much in sympathy with him. I wish I could agree with him without departing from the rule respecting authorization of his project. If the Senate agrees to the Senator's amendment, I shall not shed any tears. I simply want to explain that the committee cannot depart from the rule. If we did, we would soon be at sea.

Mr. HAYDEN. Mr. President, there is just one point I should like to clear up. Floods are more frequent in the East, where there is plenty of rainfall, than they are in the arid regions, and therefore, if the damage is prorated annually, and if the floods occur on the average every 3 or 4 years in the East, the damage done would be divided by 3 or 4, while if floods occur every 10 or 15 years in the West, the damage done must be divided by 10 or 15, according to the formula stated by the Senator from Louisiana. But when floods come in the West, as they will come and have come from time to time, although not so frequently as in the East, a town is wiped out just as effectively whether it occurs once every 10 or 15 years or once every 5 years. The situation as it exists requires that this protection be given to the community, and to a great transcon-

tinental railroad line so as to avoid disaster. Therefore, Mr. President, I ask that the amendment be adopted.

Mr. OVERTON. There is no evidence that the town has ever been wiped out, is there?

Mr. HAYDEN. As I told the Senate, when the flood occurred considerable damage had been caused before the water ceased to rise, but in the meantime the conditions have changed for the worse. I want the Senate to understand that the amendment is recommended by the Chief of Engineers. When I took it up with him the second time he said, in substance, "We can only repeat our recommendation. We urge the Congress to adopt this amendment. In our judgment it should be adopted."

Mr. OVERTON. I wish to advise the Senate that if there were any changes locally the engineers could easily report them, and a review report could be made. That report could be made very promptly and the item could have been placed in this bill.

Mr. HAYDEN. Why does the Senate need a review report when this project has already been recommended by the Chief of Engineers? In proof of what I have said I ask to include as a part of my remarks an extract from House Document No. 648, Seventy-eighth Congress, second session, and a more recent letter from the Secretary of War approving my amendment.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 2, 1942.
Subject: Little Colorado River, Ariz., and N. Mex.
To: The Secretary of War.

1. I submit for transmission to Congress my report with accompanying papers and an illustration on preliminary examination and survey of Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona, authorized by the Flood Control Act approved August 28, 1937.

2. Little Colorado River rises in northwestern New Mexico and flows northwesterly 315 miles to join the Colorado River in north central Arizona, 293 miles above Boulder Dam. Its drainage area of 27,800 square miles ranges from mountains to relatively flat desert country through which the lower river and its tributaries have cut deep canyon courses. The basin is sparsely populated and its principal development is in farming and stock raising. These activities are limited due to scarcity of water. The average annual precipitation ranges from 7 inches in the downstream desert area to 25 inches in the headwater mountains. Most of the main stream and tributary channels have only intermittent flow.

3. Flood flows of appreciable magnitude are possible throughout the basin and, according to the meager records available, have been of comparatively frequent occurrence, but the threat of serious flood damage is concentrated largely at Gallup, N. Mex., and Holbrook and Flagstaff, Ariz. The possible future flood damage in these localities, on an average annual basis, is estimated at \$40,000, \$12,600, and \$5,800, respectively. There have been no Federal improvements primarily for flood control. The Department of Agriculture is making extensive improvements for erosion control in the vicinity of Gallup, N. Mex. Local interests at Gallup, Holbrook, and Flag-

staff have made various improvements for prevention of flooding and bank erosion but none of the measures taken is adequate for major floods. There are 26 reservoirs, ranging from 500 to 22,000 acre-feet in capacity, and numerous smaller reservoirs, primarily for irrigation storage. The total capacity of these projects is estimated at 150,000 acre-feet or more, but their regulatory effect on major flood flows is negligible. Local interests request that consideration be given to improvements for flood control, water conservation, soil-erosion prevention, water-supply and power development. They suggest 18 specific projects for which their partial estimate of costs is \$1,421,880.

4. The district engineer reports that a program designed for general control of floods throughout the basin, either with or without conservation or power-development features, would be clearly uneconomical at this time, due principally to the comparatively small extent of development and the wide dispersion of flood damages. Of the 18 specific improvements suggested by local interests, only 3 were found to have sufficient flood-control possibilities to warrant detailed study; namely, the projects for Holbrook, Gallup, and Flagstaff. Several alternate methods of obtaining flood protection at these localities were investigated, but no plan was found to be economically justified at Gallup and Flagstaff. The plan found most suitable for Holbrook is a levee system at an estimated cost of \$258,000 for construction, \$29,000 for highway bridge and utility alterations, and \$1,000 for rights-of-way. The annual carrying charges would be \$12,500. The project would provide protection for 95 percent of the town against floods up to the estimated maximum experienced flow and would result in tangible benefits estimated at \$11,100 annually. The district engineer considers that these benefits, together with the unevaluated benefit of protecting this community which serves as a supply center for 35,000 inhabitants in the surrounding area, are sufficient to justify the project and he recommends its construction at an estimated cost to the United States of \$258,000 subject to certain conditions of local cooperation. The division engineer concurs.

5. The Board of Engineers for Rivers and Harbors concurs in general in the view of the reporting officers and in their recommendation for construction of the project.

6. After due consideration of these reports, I concur in the views of the Board. Flood control throughout the Little Colorado Basin generally, by measures for which the War Department would be responsible, is not economically justified under existing conditions of development. The only individual project warranted at this time is the construction of a levee at Holbrook, a community which serves as a supply and distribution center for 35,000 inhabitants in the surrounding area. In my opinion, the tangible benefits of the project together with the unevaluated benefits of the increased security and welfare of the inhabitants are sufficient to justify the project at Holbrook, and I recommend its construction, substantially as outlined in plan A in the report of the district engineer, at an estimated cost to the United States of \$258,000 for construction; subject to the condition that responsible local agencies give assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for construction of the project; (b) bear the expense of all necessary highway, highway bridge, and utility alterations; (c) hold and save the United States free from claims for damages resulting from construction of the works; (d) maintain and operate all works upon completion in accordance with regulations prescribed by the Secretary of War; and (e) establish and enforce flood-channel limits and regulations satisfac-

factory to the Secretary of War for protection of the flood-carrying capacity of the channel.

E. REYBOLD,

Major General, Chief of Engineers.

WAR DEPARTMENT,

Washington, September 8, 1944.

HON. JOSIAH W. BAILEY,

Chairman, Committee on Commerce,

United States Senate,

Washington, D. C.

DEAR SENATOR BAILEY: I refer to your letter of August 10, 1944, requesting a report on an amendment intended to be proposed by Mr. HAYDEN to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The purpose of this amendment is to authorize a project on the Little Colorado River for local flood protection at Holbrook, Ariz., at an estimated cost of \$258,000.

In pursuance of authority contained in the Flood Control Act approved August 28, 1937, a survey of the Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona, was made and a report giving the results thereof was transmitted to the Speaker of the House of Representatives with the Department's letter of May 31, 1944. In that report a plan for local flood protection at Holbrook, by the construction of a levee system at an estimated cost to the United States of \$258,000, was recommended for adoption by Congress. The amendment proposed by Senator HAYDEN would authorize this project substantially in accordance with the recommendations of the Chief of Engineers in that report which is being printed as House Document No. 648, Seventy-eighth Congress, second session.

The War Department favors enactment of this amendment. The page reference should be corrected as indicated on the copy of amendment herewith to insure that the item will go into the bill in its proper sequence.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

HENRY L. STIMSON,

Secretary of War.

Mr. McFARLAND. Mr. President, will my colleague yield?

Mr. HAYDEN. I yield.

Mr. McFARLAND. In answer to the Senator from Louisiana I should like to read a brief portion of the testimony which was taken before the subcommittee of the Senate Committee on Irrigation and Reclamation in Arizona last summer. I read from the testimony of Mr. J. R. McEvoy, the president of the bank at Holbrook. He said, speaking of the last flood:

This was just a few of approximately 20 buildings that were destroyed by this flood, and a number of business houses and homes in the residential district were damaged by the water running into the basements. This loss was approximately between \$40,000 and \$50,000 to the residents of Holbrook.

I do not wish to go into detail in regard to this testimony, but it shows a great loss to the town of Holbrook in the last flood, and, as pointed out by my colleague, this damage will be nothing compared with what it will be in a future flood, because the bed of the river has risen until it is almost as high as the dam.

Mr. President, I ask unanimous consent that the testimony of Mr. McEvoy, beginning on page 17 of the record, as

well as that of Mr. William Darling, be printed in the RECORD at this point.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Mr. J. R. McEvoy. I realize as Judge Levi Udall said, that time is precious, that you have a good many other counties to hear from. With your permission, I am going to refer to this paper I have prepared here.

From what information of record I have gathered together since 1915 to 1923 the town of Holbrook was in danger of flood water. In 1915 the Lyman Dam went out, causing a flood at Holbrook.

I am going to bring before this committee only the period from 1922 up to the present time, which is approximately 22 years, during which time I have been a resident of Holbrook.

On September 17 and 18, 1923, a big onrush of flood waters engulfed Holbrook buildings. The first house to fall into the river was Judge Crosby's, next the J. C. Manley home, which was owned by L. D. Cadwell, the next two cottages belonging to R. D. Greer were swept away. The Emil Berling bakery was washed away, and the A. C. M. I. warehouse went down the river Tuesday about 4 p. m. in the evening. That was just a few of approximately 20 buildings that were destroyed by this flood, and a number of business houses and homes in the residential district were damaged by the water running into the basements. This loss was approximately between \$40,000 and \$50,000 to the residents of Holbrook.

During the flood the Little Colorado bridge, built by the Arizona Highway Department, was damaged, and people wondered how it stood up so well. The Apache Railway Co.'s bridge just west of the highway bridge was damaged very badly. On September 21, 1923, the Holbrook paper came out with the heading "Holbrook will dike the Little Colorado River." A meeting was called by the chairman of the chamber of commerce, W. J. Hookway. In attendance were W. J. Hookway, John R. Hulet, Dr. S. Earl Taylor, Adolph Schuster, Julius Wetzler, and Judge Jesse E. Crosby, and a number of other citizens. In fact, it probably was one of the largest meetings of a public kind held in Holbrook. The meeting was held at the Pastime Hall, Wednesday, September 19, 1923. It was decided upon by this group that a dike was the proper thing to build for flood protection to the remaining property located at the south of Porter Street.

Chairman of the board of supervisors Clarence Owens, offered the assistance of the county to the extent of approximately \$6,000, and the town of Holbrook contributed approximately \$1,000, and with this money some rip-rapping was done for the river, which was of great assistance. However, periodically from 1923 on we were menaced each year with the high water of the river.

The matter was taken up with the State highway department, and they spent approximately \$15,000 in building one or two more dikes near the south end of Porter Street which helped divert the water to the center of the river bed, therefore helping to protect the rest of the residents along the north end of the river bank. This helped a great deal, and in addition to this work, the Lions Club of Holbrook planted tamarack trees along the north bank of the river adjacent to Holbrook, which during the past years have grown to a size where they are some protection to that part of town. It should be mentioned that the river over these periods of years has been filling up with silt until it has been almost level with the bank of the river. This means that at flood time the water can easily overflow the bank.

Up until 1925 after doing all we could in Holbrook to protect ourselves from floods, to

the extent of our financial abilities, we found that it was more than we could take care of. It was then that this matter of flood protection to Holbrook was taken up with our Senators and Representatives in Congress, and we are glad to say that they have helped us a great deal. About 1928 Army engineers spent considerable time surveying the river, and at this time easements were signed for rights-of-way on the river bank, and as we understand it, flood protection to the town of Holbrook. This, of course, took several years to work out, and with the war coming on, this project was stopped for the time being.

The flood that caused the damage to our town was only from the Little Colorado River. Less than 3 miles east of town the Puerco River also runs into the Little Colorado. If these two rivers should ever flow floodwaters at the same time, there is no question but that the biggest part of Holbrook would be washed away.

I also might mention that we are unable to purchase flood insurance which signifies that the underwriters must consider it an extraordinary risk.

I wish to state again that it has been through the good help and assistance of our Senators and Representatives in Congress that we have been able, over a period of years, to get over the importance of flood protection to the town of Holbrook. In the Arizona Republic of June 1 an article appeared headed Washington, D. C., that two flood-control projects were recommended: One, Bill Williams River, Ariz., concrete flood-control dam at Alamois site, \$3,202,000; Little Colorado River, N. Mex.-Ariz. levees, and others, \$288,000. During the month of May on page 4313, CONGRESSIONAL RECORD, House, Mr. MURDOCK brought before the House of Representatives that there is a flood-control situation badly needed at Holbrook, Ariz., on the Little Colorado River, which has been looked into and carefully studied by the Army Engineers. They made their complete report some time ago and the only thing left in finishing this report is that it has not cleared the Bureau of the Budget nor the Bureau of Reclamation; however, I happen to know that the Bureau of Reclamation is favorable to it and it would interpose no objection. He asked to have this referred to the Senate after clearance is received and later, if possible, to the conferees in regard to this same bill, because the flood hazard at Holbrook is very, very bad. The Army engineers' report is complete up to the point indicated.

You can see, gentlemen, that considerable work has been done, money has been spent, but the job has not been completed. There is no question in my mind, and I do not believe there is any question in anyone's mind who has seen our rivers adjacent to Holbrook, that we need flood protection as soon as possible, and it is, without question, an emergency.

There has been introduced in the House of Representatives by Mr. WHITTINGTON, H. R. 4485, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes. I have read the bill, and I find that there are approximately 80 different projects set up that stated the amount of appropriation; however, not one cent for the Little Colorado River at Holbrook. It has been suggested that possibly when this H. R. 4485 bill is presented to the Senate that a rider might be placed on the said bill setting up approximately \$300,000 protection to the town of Holbrook.

Not being familiar with the procedure of legislation through our Congress, I am not in a position to say whether or not this would be the proper thing to do. I do say this, that if such an amendment could be attached to this bill, it would give us the flood protection that we need at Holbrook.

Now, gentlemen, if this suggestion meets with your approval, we would appreciate your support in our behalf. I feel today, like I have every day since the flood of 1923, that Holbrook is in a vulnerable spot to be washed away some day if high waters come from the Puerco and the Little Colorado Rivers. We have been fortunate over the past several years in not being menaced too much with high waters. This was attributed to the fact that we have had a drought in our vicinity during that period of time, and the rains that we did get came at intervals so that not a great deal of damage was done; however, there were times when the entire river bed filled up from the Little Colorado River.

* * * * *

Mr. WILLIAM DARLING. Mr. McFarland, Mr. Hatch, and Mr. Bashore, I didn't come here to make any particular speech, but I do want to say that I have lived in Winslow on the Little Colorado for some 23 years; and being in the engineering department of the railroad, it has been necessary for me to study the actions of the Little Colorado, and to take such steps necessary to stop erosion and keep our railroad together.

At Holbrook in particular, we have been able to hold our railroad together for the past 23 years, and in doing so, we have afforded the town some protection, but not all the town is entitled to. We have spent the equivalent of seventy to ninety thousand dollars in the part of the river that menaces Holbrook, but as stated by Mr. McEvoy, neither the Rio Puerco nor the Little Colorado which join just above Holbrook has come down in flood stage in the same period. Now, that can easily happen, as all of you who live in the Southwest know, that ordinarily our streams do not all run the same day or the same hour, but if you get a stream from the three directions, you can run all of them together, and when they do, you have a river full of water. And while the river may stay full of water only 1 or 2 hours and all be gone, in that same time all of the damage that could be thought of can be done, because these rivers in the Southwest are not slow-running pleasant streams like they are in the Middle West. They are fast, their stream beds are swift. All of you have seen these big muddy streams and how they just cut banks away like they were sugar. And that can happen to any ordinary protection like that afforded by ourselves.

In the case of the town of Holbrook, the minor portion of the town lies between the river and the Santa Fe Railroad. That portion has very little protection already afforded by the street. But that portion of the town, which we might say is one-fifth of the town, can be washed away very easily.

But the rest of the town north of the railroad is really in a hazardous position also, whether they know it or not. During the past 25 to 30 years the river bed of the Little Colorado for a distance of 5 miles below Holbrook to a distance of 15 to 20 miles above Holbrook has been filling up with sand that has been coming down from New Mexico and part of Arizona.

Senator HATCH. Yes; we know about sand in New Mexico.

Mr. DARLING. And gradually raising this river bed until actually the threat is that the river bed can be higher than the town.

Senator HATCH. That sounds ridiculous, but I know as a matter of fact that it can happen.

Mr. DARLING. We have a case right at the lower end of town where other streams come in. The Leroux wash which 30 years ago a man could ride horseback under. The railroad raised that bridge 5 feet about 2 years ago, and 5 years ago built a new line and raised it another 5 feet.

Senator HATCH. Do you happen to be familiar with San Marcial, N. Mex.?

Mr. DARLING. The sand was up to the second-story windows.

Senator HATCH. That's right.

Mr. DARLING. And this same thing can happen in Holbrook. And as we say, we of the railroad can repair our damage as we always have and keep the railroad. We know we can repair our damage in 48 hours and keep our railroad, but if the levees we have provided for the town break through and the town of Holbrook gets inundated, they cannot repair their damage with a lifetime of work.

I don't think there is a great deal more that I can add to this, because all of you are familiar with the Southwest streams and exactly how they act. But where stream beds rise the hazard grows and creeps up on the people without their knowing it.

I would say that 4 years ago it happened that the Army engineers had completely developed a plan to take care of this situation, and it is expected that this plan can be put into effect in the following year if the war hadn't come along. But naturally, with the war on, it is necessary to underwrite and pass up other expenditures. But it does appear that this is a logical expenditure for the people of Holbrook right after the war, and whether it is done by the Bureau of Reclamation or by the United States Army engineers, it is still a Government function because it is caused by streams beyond the control of the town of Holbrook.

Senator MCFARLAND. Thank you.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] on page 29, after line 10.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I see that the Senator from Kentucky [Mr. BARKLEY] is present. He desired the first committee amendment, appearing on page 1, to be passed over temporarily. Is the Senator ready to proceed with it now?

Mr. BARKLEY. Mr. President, I asked that the first amendment be passed over. That amendment seems to depart from the legislative course which Congress has heretofore adopted in regard to flood control. I do not know what the committee had in mind, but on the surface it looks as if this amendment was intended to preclude Congress hereafter from establishing for the development of any river valley, such as the Missouri River Valley, which is now very much in the picture, and other valleys, any agency similar to the T. V. A. or patterned after the T. V. A. I do not recall that this provision has been in any previous flood-control bill. I wish to read it so that Senators may understand it, and then I want to inquire of the Senator from Louisiana what the committee had in mind in inserting this language in the bill:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate

preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

It seems to me that language could have only one meaning, and that is to preclude the creation of any more authorities in any valleys for the development of our natural resources.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. OVERTON. I know the Senator is familiar with the Flood Control Act of 1936, because he was very active on the floor in the passage of the measure. The Senator was very much interested in the passage of that measure at the time. I shall now quote, if the Senator will permit me, from that act, because the Senator desires to know whether there has ever been previous legislation along this line.

Mr. BARKLEY. I was reading the amendment in order to inquire of the Senator—

Mr. OVERTON. Whether there has ever been legislation along the same line?

Mr. BARKLEY. I wished to inquire of the Senator the purpose of reinserting this language, in substance, in the present bill.

Mr. OVERTON. There has been legislation along this line. In other bills we have usually had a general statement of policy. Let me read from the act of 1936:

SEC. 2. Hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by act of Congress.

The act further provided for examinations, reports, surveys, and so forth. That is a general declaration of policy, somewhat similar to the language of the pending bill.

Mr. BARKLEY. What was the date of the act from which the Senator just read,

Mr. OVERTON. The act of June 22, 1936.

Mr. BARKLEY. My attention was brought to this provision in the bill by an editorial in the St. Louis Post-Dispatch, which may have come to the attention of the Senator from Louisiana. The editorial was published on the 12th of November. It refers to this bill and this particular provision as a grave threat to the Missouri Valley Authority, which is provided for in legislation now pending before the Congress. I believe one bill was introduced by the Senator from Montana [Mr. MURRAY] and another by the Senator from Wyoming [Mr. O'MAHONEY]. Those bills have not as yet been reported by the committee.

Of course, the Senator will recall that only a few days ago the President recommended the creation of seven different valley authorities in the United States, somewhat after the pattern of the Tennessee Valley Authority. I realize that no language in a bill like this would bind future Congresses. It would not prevent a future Congress from establishing a separate authority in any valley in the country, as a matter of law or authority. However, I was wondering whether the language which has been inserted in the bill, declaring it to be the policy that hereafter no improvements of any kind shall be undertaken on any rivers except through existing agencies, was intended to have whatever effect it might have upon future Congresses in determining whether there should be a Missouri Valley Authority, a White River Valley Authority, or some other river valley authority based upon the pattern set by the Tennessee Valley Authority.

I am interested in that question, not particularly because of any geographical situation, but because of the possibility that ultimately the Cumberland River may be included, and such a program might be established under the Tennessee Valley Authority. If the Cumberland River should ever be treated as the Tennessee River has been treated, it might be included under the existing Tennessee Valley Authority. Bills have heretofore been introduced to that effect. They have not been acted upon by the Congress, although one of them did pass the Senate.

I should like to know what was behind the committee's proposal undertaking to freeze all future river improvements, for whatever purpose, in existing authorities, which would be the Corps of Engineers of the Army and the Bureau of Reclamation of the Department of the Interior. We all know that there has been a dispute between the Corps of Engineers and the Bureau of Reclamation of the Department of the Interior with regard to jurisdiction over rivers. It seems that they have now reached a sort of armistice. Whether that is an agreement of convenience, or whether it is one involving any principle, or whether it works to the more efficient administration of our river valleys, I do not know. However, the discussion of this problem in the editorial in the St. Louis Post-Dispatch rather hints at the idea that the two divisions, one in the Army and the other in the Department of the Interior, have got together in order to forestall the creation of any other authorities or agencies. I should like to know from the Senator from Louisiana just what was in the minds of members of the committee when this amendment was adopted.

Mr. OVERTON. Mr. President, flood-control legislation is progressive. The Federal Government did not take serious charge of flood control until 1928, following the great disaster of 1927 in the lower Mississippi Valley. Then the Congress of the United States declared that the control of floods in the lower Mississippi Valley was a national obligation, and undertook to authorize projects and the appropriation of money. The work was

to be done solely under the supervision of the Army engineers.

In 1936 the Congress proceeded much further. It took a very forward step, and declared that flood control generally throughout the Nation was a national obligation. It proceeded to authorize certain projects for that purpose and placed them under the supervision of the Army engineers, to be assisted by the Department of Agriculture in reference to the headwaters of various streams.

Flood-control legislation is very progressive. It has proceeded step by step under the direction of the Congress, of which the Senator from Kentucky is a very distinguished Member, until we have intertwined it with irrigation, with the generation of power, and with a broader and more extensive agricultural development of lands bordering upon streams or their upper reaches. So various agencies of the Government have come into the picture to deal with this subject. Each time we have had a flood-control bill we have had a declaration of policy, not in this exact language, but in language somewhat similar to it. We have now reached the point where, instead of mentioning all the various agencies, we simply say, as suggested in this amendment:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies—

Such agencies include the Bureau of Reclamation, when it comes into the picture in relation to irrigation dams, reservoirs, and so forth. It includes the Federal Power Commission, which enters into the picture when a dam has anything to do with power, and also the Department of Agriculture when it is interested in any of the projects contained in the bill. Therefore, we make use of existing Federal agencies which may be interested—

for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

It does not seem to me that that general provision smacks of seven regional authorities or of a blow against seven regional authorities. We use the presently constituted and existing agencies to help in the development of our water resources. At any time Congress wishes to deprive the engineers of control of navigation or flood control, or wishes to destroy the Bureau of Reclamation insofar as it has to deal with irrigation, it can do so, and have one authority after another over the whole Mississippi River and all its tributaries, or can bring it all under one great authority. All that is within the power of Congress.

The newspaper to which the able Senator has referred is one of the St. Louis

newspapers—the St. Louis Post-Dispatch—is it not?

Mr. BARKLEY. Yes.

Mr. OVERTON. It is a strong advocate of these authorities, as I understand. If in the opinion of the lay editor of that newspaper any provision of the bill might militate against the future authorization of some authority, I can understand why he would become very much excited about it; but I am surprised that the able senior Senator from Kentucky should become excited about such a provision as this one.

Mr. BARKLEY. I am not excited at all; I was never more calmer in my life.

Mr. OVERTON. I am very glad to hear that.

Mr. BARKLEY. I simply endeavored to obtain, in a calm way, a clear statement from the committee about what was in the back of the heads of the members of the committee when they inserted this provision.

I should also like to refer to the report filed by the committee when this provision was inserted. I read the following from the report:

The committee is of the opinion that the best interest of the country as a whole will be served by fully utilizing Federal agencies in the planning, construction, maintenance, and operation of all improvements for the development of the Nation's water resources.

That is very broad language. If the Senator had said in his amendment and in his report that, insofar as the projects carried in the bill are concerned, they advocate the limitation of jurisdiction over them to existing agencies, that would have been one thing. But it seems to me to be a fair interpretation of this language to say that it projects itself into the future, and attempts to declare a policy on the part of Congress, because, as I read further, it says—

The established Federal agencies have highly trained personnel that are specialists in their respective fields. The chiefs of the principal bureaus and commissions directly responsible for the preparation of plans and for the administration of the national program for the development of the water resources of the country have entered into an agreement to insure cooperation on multiple-purpose projects.

Those are the Bureau of Reclamation and the Corps of Army Engineers for rivers and harbors, which have been at each other's throats for a long time over the question of jurisdiction. They have now come to an agreement.

Mr. OVERTON. If the Senator will permit me to interrupt him at this point, let me say that I do not think they have been at each other's throats. I think they have gotten along together quite well.

Mr. BARKLEY. But they have disagreed.

Mr. OVERTON. Perhaps they have disagreed in some instances. But in the case of the Missouri River Basin development, which has caused so much comment, when they got together they found that the differences between them were very few. If the Senator will read the report, he will see that when they got together their differences were reconciled.

Mr. BARKLEY. I do not know under what auspices they have met and have entered into an agreement. I read further from the report:

Under the terms of that agreement, conferences are held in Washington at least once each calendar month for the purpose of discussing the results of studies and investigations, adjusting differences of opinion, and promoting ways and means for implementing the agreement.

The committee believes that the most effective means of insuring efficient executive management and a uniform administration of the national policies enunciated by Congress with respect to navigation, flood control, irrigation, development of hydroelectric power, water-flow retardation, and soil-erosion prevention is through the utilization of the permanent executive agencies already established by acts of Congress for the administration of these programs and it recommends adoption of the amendment.

Mr. OVERTON. That is a conclusion.

Mr. BARKLEY. I cannot read into that language anything except the purpose, at least, to try to commit the Congress in advance of any separate treatment of any river which might come under the jurisdiction of Congress. Frankly, I do not know what other reason could have actuated the committee in inserting that language.

Mr. OVERTON. Does the Senator disagree with the conclusion that these projects should be under the control of established agencies?

Mr. BARKLEY. I do not disagree.

Mr. OVERTON. Does the Senator disagree with the conclusion that the projects should be under the control of experts long trained and schooled in this kind of work? That is the statement made by the committee.

Mr. BARKLEY. Of course, I do not disagree to that. Neither do I disagree to the proposal or suggestion that, so far as the projects to be carried on under this bill are concerned, which are flood-control projects, or even insofar as the rivers and harbors bill is concerned, which relates to the ordinary and routine improvement of our rivers and harbors, they should be under the jurisdiction of experts.

But the Senator from Louisiana knows what I have in mind. Congress decided to establish the Tennessee Valley Authority. It may decide—I do not know about that—to establish or adopt the St. Lawrence waterways project, in which the Senator from Vermont [Mr. AIKEN] is vitally concerned. It may decide to establish an Arkansas Valley Authority. It may undertake to set up a separate Government agency hereafter. While I agree that the language used by the committee cannot prevent Congress from doing that in the future—

Mr. OVERTON. Certainly not; I agree thoroughly with the Senator that it could not.

Mr. BARKLEY. Nevertheless, I wonder if it would not normally commit and bind the Congress to the proposition, if any separate valley development should be undertaken, of putting it into the hands of some existing agency, instead of into the hands of a new agency, as we did in the case of the Tennessee Valley Authority.

Mr. OVERTON. It would be futile for the committee in a report or in this bill to undertake to bind the Congress in respect to its action in the future.

Mr. BARKLEY. I realize the futility of attempting to do so.

Mr. OVERTON. We cannot possibly do so.

I wish to state that I really believe that navigation should be under the control of the Board of Army Engineers for Rivers and Harbors. It is one of the presently constituted agencies. I believe that flood control should be under the Board of Army Engineers for Rivers and Harbors. I believe that irrigation projects and other related projects should be under the control of the Bureau of Reclamation, which for 40 years has been dealing with that subject, and has engineers who are now schooled and trained in it and are experts. The Army engineers have been dealing with navigation projects for more than 120 years, and with flood-control projects ever since we began them. They are the greatest dam builders in the world. They are the greatest levee builders in the world. They are the greatest reservoir builders in the world. As I remarked in my opening statement in connection with the pending bill, I think the splendid schooling we have given our Army engineers has been of immense value to them in the war in which we are now engaged, and in aiding our soldiers on the battle fronts all over the world.

Now I am expressing and the committee is expressing just what we think—and what I think, too—namely, that we should not overlook the Department of Agriculture. It is doing splendid work. I think these agencies should be recognized. That is just what is said. Congress has not yet undertaken to establish any other authority. If it desires to create some other agency, very well; that would be a matter to be determined by the Congress.

Mr. BARKLEY. I understand that. I raise no question about the competence of the Army engineers in regard to the improvement of rivers and harbors or in regard to flood control. Neither do I question the ability of the Reclamation Service in matters of irrigation. But we all know that we are reaching a period in the development of our country when we must take into consideration industrial development, hydroelectric-power development, and all sorts of things which are incidental to the improvement of rivers or which may be primarily more important in some sections of the country than the mere improvement of rivers by way of dredging them or otherwise providing deeper channels for navigation. It is impossible to separate flood control from such development.

I think we are rapidly reaching such a point in this country that we must utilize our river resources. Not only must we integrate them simply in order to deepen channels and to dredge harbors but we must integrate them in regard to the whole industrial and agricultural development of the valleys. I think we must soon enter upon a comprehensive

program for the utilization of water power.

Mr. OVERTON. If the Senator had attended the hearings he would know, or if he will read the printed hearings he will find, that the bill now before the Senate goes a long way toward doing what the Senator has suggested. The bill deals with hydroelectric energy, irrigation, and reclamation, as well as with navigation and flood control. It interrelates those various activities.

Mr. BARKLEY. I am not a member of the committee and, as the Senator from Louisiana knows, I cannot attend all the hearings which the committee holds, and neither can I attend all hearings which take place before other committees of the Senate.

Mr. OVERTON. That is the reason why I suggested that the Senator read the hearings.

Mr. BARKLEY. I appreciate the Senator's suggestion, and I hope that I can follow it.

In order that the pending amendment may not be misinterpreted by anyone interested in the development of water power, would the Senator object to an amendment at the end of the committee amendment reading substantially as follows:

Provided, however, That this section shall not be interpreted to preclude the right of Congress hereafter to establish different agencies, if it should see fit, for the development of our water resources.

Mr. OVERTON. That would be a pretty broad provision. It would provide that nothing could be construed to inhibit the power of Congress to enact future legislation. Such an amendment would deal very broadly with the subject.

Mr. BARKLEY. I agree that the pending amendment would not bind future Congresses but it is subject to being misinterpreted by those who do not always understand the technicalities of congressional legislation. If the amendment cannot bind Congress in the future—

Mr. OVERTON. Why not say so?

Mr. BARKLEY. Why not say so?

Mr. OVERTON. Why not say so in a broader sense? We want it to apply not merely to future agencies, but in other ways and to new methods. Should we not say, "It will not bind Congress at all in the future with respect to legislation dealing with flood control, power, navigation, and so forth"? Merely to say "agencies" is to stop too soon.

Mr. BARKLEY. I do not care how the language is framed. I realize that so far as binding any future Congress is concerned, legally or constitutionally, the language of the committee amendment is nugatory. But many people throughout the country, especially in the Middle West, may misinterpret the language in the way which I have indicated. If the Senator will agree to language which would dissipate such fear, I think it would go a long way toward reconciling many of those people to the amendment offered by the committee. The amendment could not and would not bind future Congresses, but notwithstanding that many persons think it would bind future Congresses, I think the language should

be made clear. It should be plain that it will not bind Congress in the future regarding the manner of developing our water resources.

Mr. CLARK of Missouri. Mr. President will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. If, in connection with the pending bill, we do what the Senator suggests, it seems to me that language should be written into every future act to the effect that we are not attempting to abolish the Constitution of the United States, and that one Congress cannot bind a future Congress. There is no sense in putting such a provision into this measure unless it is put into every measure proposed in the future. Every person who has any sense, and who has read the Constitution of the United States, knows that one Congress cannot bind a future Congress, or bind itself for the duration of the Congress. To insist on writing into this bill a provision that we are not attempting to bind a future Congress, and that we are still operating under the Constitution of the United States, seems to me to be ridiculous.

Mr. BARKLEY. It may be that the original amendment is ridiculous, but while constitutional lawyers like the able Senator from Missouri understand the bill, there are many millions of people throughout the country who do not understand it. I dare say that the Senator from Missouri is more interested in this matter than I am.

Mr. CLARK of Missouri. I am certainly very much interested in the proposal. I am interested in it as a matter of the most vital concern to the people of my State, and the people of the Missouri and the Mississippi River Valleys. But picking out peccadilloes, and undertaking to make attacks on the declaration of the flood-control policy on the theory that it might bind some future Congress, seems to me to be an attempt to defeat the whole measure.

Mr. BARKLEY. Of course, if the Senator wishes to do so, he can put an interpretation upon the measure and endeavor to defeat it, but that is not my objective. My apprehensions are aroused by the fears of people in the Senator's own State with regard to the authority being contemplated.

Mr. CLARK of Missouri. It is not contemplated by the people of the Missouri River Valley, but only by two newspapers in St. Louis. I intend to discuss their interests in the matter before the discussion on this bill is concluded.

Mr. BARKLEY. In order that the RECORD may show the ground upon which I rose to interrogate the Senator from Louisiana, I ask unanimous consent that the editorial from the St. Louis Post-Dispatch be printed in the RECORD as a part of my remarks.

Mr. CLARK of Missouri. The Senator should include the editorial of the Star-Times, because it always follows the St. Louis Dispatch about 2 weeks later.

Mr. BARKLEY. I have not seen the editorial to which the Senator refers, but I am sure the Senator from Missouri would be willing to put it into the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A GRAVE THREAT TO THE M. V. A.—DEAL IS COOKING IN THE SENATE THAT WOULD PUT OFF INDEFINITELY THE "ONE BIG PLAN FOR ONE BIG RIVER"

A situation which greatly concerns President Roosevelt and Vice-President-Elect TRUMAN is developing in the United States Senate this week.

It is a situation perilous to the creation of a Missouri Valley Authority—perilous to the one big plan for one big river to which the President and Mr. TRUMAN solemnly pledged themselves in the campaign just closed.

It is a situation which threatens to deny the people of the Missouri Valley the blessings and security which unified development of the valley's resources would bring.

What is this situation?

The first order of business before this "lame duck" session of the Senate is two measures—the rivers and harbors bill and the flood-control bill. If they are passed in contemplated form, it may delay M. V. A. for years—indeed, the deal now being cooked up, if successful, may be a fatal stab in the back for the M. V. A. idea.

Last spring an old controversy between the Army engineers and the Reclamation Bureau burst into flame before Congress on the question of bureaucratic control of the Missouri River. The engineers fought bitterly for the Pick plan. The Reclamation Service Bureau fought for the Sloan plan. And no holds barred.

The resumption of this old and apparently irreconcilable feud between two vested governmental interests convinced many people that the time had come to cut the Gordian knot by advancing the M. V. A. idea. That idea would rescue the Missouri Valley from contending factions and place it under harmonious and scientific, but above all, under unified and nonpolitical management.

As the M. V. A. idea took instant hold upon the imagination of the country, and won the ultimate endorsement of the President in a special message to Congress, a strange and wondrous thing occurred.

The feudists, fearful of the M. V. A., lest it invade their bureaucratic precincts, began to murmur softly to each other. And now—marvelous to relate—a marriage between old and bitter enemies has been arranged. The United States Senate will be asked this week to officiate as elergyman at this odd alliance.

But this is no love match. This is a marriage of convenience, arranged not only to kill off M. V. A. but to save the interests jealously guarded by two powerful Government agencies.

This is what the Senate will be asked to do by Senator OVERTON, of Louisiana, spokesman for the Army engineers and certain lower river interests, and by Senator O'MAHONEY, who represents the Reclamation Bureau and certain upper river interests:

It will be asked to amend either the rivers and harbors bill or the flood-control bill by the adoption of a written compact between the Army engineers and the Reclamation Bureau.

What is this compact? It is an attempt to reconcile the hitherto clashing views of the two Government agencies. It is an attempt to pass off as an amicable plan a compromise between two points of view which are necessarily antagonistic.

Broadly speaking, the legal concerns of the Army engineers are navigation and flood control. The legal concern of the Reclamation Bureau is irrigation. Neither is empowered by law or equipped by experience or tradition to look at the river as a whole, or to formulate one big plan for one big river. Here the fatal impasse rests. Here it has always rested. Here it will continue to rest, despite the last-

minute skin-saving deal that has been contrived.

Why would passage of the Overton-O'Mahoney deal vitiate or destroy the M. V. A. idea? It would do so by intrenching through act of Congress the authority over the river of the Army engineers and the Reclamation Bureau. The preamble of the flood-control bill expressly states: "It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operations, and maintenance of all public improvements in connection with navigation, flood control, and allied activities * * *."

It would delay or destroy the M. V. A. idea because, although the two pending bills are only authorization measures, they would set a divided pattern for future development of the river. Passage of the deal would pledge the Nation by law and in honor to the execution of a plan which consigns the Missouri River to the same old pulling and hauling which has cursed it in the past.

The deal now cooking would continue the system of "pork barrel" politics in Missouri River development as against a scientific determination of the valley's needs. It would continue remote control from Washington of the valley's destiny as against the decentralized, regional control that M. V. A. would represent. In a word, it would be to ignore, to repudiate, and defy the basic principles which have made the Tennessee Valley Authority the outstanding success that it is, admired throughout the world.

Is M. V. A. to be delayed or done to death by a "lame duck" Congress which does not fully represent the mandate of the people at the polls? Is this to be done before newly elected champions of M. V. A. like Senator-elect MOSES, of North Dakota, are permitted to be heard? Is it to be done in the hope that the President, burdened with a thousand concerns, will not notice this sabotage of his own idea?

Will President Roosevelt stand for it? Will Vice President-elect TRUMAN stand for it? Will Senator MURRAY stand for it? Will Senator GILLETTE stand for it? Will Senator LISTER HILL stand for it? If it is passed and goes to conference, will Representatives COCHRAN and RANKIN stand for it? All these men stand for M. V. A. Four of them have M. V. A. bills pending in Congress.

This editorial does not propose either delay or defeat of the river and harbor and flood-control bills. These bills are national in scope. They include many worthy developments—in Connecticut, in the Great Lakes region, in Boston Harbor, in the Santa Ana River Basin, and even in Hawaii. Our concern is solely and simply with the Missouri Valley. It is a concern born of a century of failure on the part of existing agencies to control the Missouri River. It is a concern born of a conviction that a Missouri Valley Authority can control our floods, can provide navigation, conserve our soil, give us low-cost power, and bring the new life of irrigation to our thirsty uplands.

This we urge upon the Senate: Amendment of the river and harbor bill or the flood-control bill, or both, to substitute the President's M. V. A. proposal for every section of both acts that concerns the Missouri Valley.

The written compact made public by Senators OVERTON and O'MAHONEY is, in fact, a substitute for the Missouri Valley provisions of these bills. It is a substitute which would prolong indefinitely an impossible situation by which the river has many masters. If there is to be substitution, it should be the kind of substitution, the kind of amendment that will give this river one master, one plan, one destiny.

The President and a Democratic Congress have just received a mandate of approval for such progressive policies and public works as are typified by the M. V. A. idea. Moreover,

that idea was endorsed during the campaign by the President and the Vice President-elect.

In view of this endorsement, how can Congress permit two Government agencies to sneak past it legislation which will vitiate or destroy a specific pledge to the people by the newly elected administration?

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. AIKEN. I invite the Senator's attention to the wording of the amendment which was offered earlier in the day by the Senator from North Carolina [Mr. BAILEY], and approved by the Committee on Commerce. It reads in part as follows:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

I believe that the Senator can see that the amendment dovetails into the declaration of purpose which the committee adopted for the bill, and that with the declaration of purpose as contained in this amendment in the bill the effect would be to prevent the setting up of yardsticks in any area where yardsticks for the sale of electric power do not presently exist. It would prevent the expansion of the Tennessee Valley Authority to include the Cumberland River territory, or the setting up of new valley authorities. It would prevent the inauguration of public power distribution at almost any place where it does not exist at the present time, and it would also militate against the expansion of rural electrification cooperatives into sections where they do not presently exist. I think the amendment which has been offered by the Senator from North Carolina goes with the declaration of purposes to which I referred, and that it would have the effect which I have stated.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BURTON. Speaking as a member of the minority party on the subcommittee, I wish to endorse the provision under discussion. It seems to me that we have endeavored to do a limited thing. We have endeavored to make use of the existing facilities, and to meet questions presented to the committee. Obviously that would not in and of itself prohibit Congress from doing anything else in the future, and neither would the first paragraph of the bill put any limitations upon future Congresses. Furthermore, nothing can be found in the proposal which would prohibit the establishment of such authorities as the T. V. A., the M. V. A., or anything of that nature.

The reason for this first paragraph, as I see it, is this: We have done a good many things in the bill itself, but we have proceeded on the theory of making use of existing facilities. The first paragraph does not prohibit future Congresses, it does not prohibit executive agencies, from establishing new facilities, but it does expressly say that this act shall not be used and cited as authority for an Executive order establishing any kind of a new agency under the act, because here we have set out to do a thing with existing agencies. We do not prohibit Congress from doing something else; we do not prohibit executive authority from doing something else under some other authority, but we do not want this act cited by implication or otherwise as authority for new agencies. I think it is proper for that reason that the provision should be in the bill.

Mr. BARKLEY. If that be the purpose, would the Senator from Ohio and the Senator from Louisiana object to the insertion of a very small amendment, namely on page 1, line 5, after the word "improvements" to insert the words "provided for in this act", so that it would read:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements provided for in this act in connection with navigation, flood control, and allied activities.

Mr. OVERTON. I would have no objection to the inclusion of those words.

Mr. BARKLEY. I offer that as an amendment.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I should like to have my amendment adopted.

Mr. McCLELLAN. I want to have the amendment stated again.

Mr. BARKLEY. The amendment I offer is on line 5, after the word "improvements" to insert the words "provided for in this act."

Mr. McCLELLAN. On what page?

Mr. BARKLEY. On page 1. It is an amendment to the committee amendment.

Mr. McCLELLAN. At what point does it come in?

Mr. BARKLEY. It comes in on line 5 after the word "improvements," next to the end of the line.

Mr. McCLELLAN. Very well.

Mr. OVERTON. So that the general declaration of policy would apply to projects provided for in this act.

Mr. BARKLEY. The policy is made applicable to projects carried in this act.

Mr. OVERTON. I do not think it would be applicable to any other projects.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. McCLELLAN. Mr. President, in this connection I wish to say that section 1 now under discussion, which undertakes to formulate a policy, is the same as a section of a bill which I introduced in November 1943, in which I attempted to deal with development of the Arkansas and White River Basins.

I believe section 1 of the pending bill is a verbatim copy of the first section of the bill which I introduced for that purpose. My thought in trying to coordinate the development of the lower Arkansas and White River Basins was to establish a definite policy, a legislative policy, with respect to the construction and operation of all the projects which might be authorized on those streams. I had in mind, of course, to deal with those basins separately, but the Commerce Committee, after considering my bill at the time they considered this flood-control bill, did not report it, but merely took this section and some other provisions of it and incorporated them in the pending flood-control bill. I thought, and I still believe, that it is advisable for the Congress to establish an over-all policy dealing with all our river and waterway developments. In other words, if this would be a good policy or a good program for the White and Arkansas River Valleys, probably it would be a good policy in connection with improvements in other valleys throughout the Nation.

However, if we are going finally to proceed under a policy and program of establishing separate authorities for each valley, then, of course, this policy would probably not fit into that scheme. Until, however, we determine and enter upon the course of developing our waterways by the creation of separate authorities for each particular drainage area, I think it is well and advisable and necessary that the Congress itself establish a policy which shall be pursued until that time. I rather favor the policy expressed in the pending flood-control bill and in the bill which I introduced dealing with the White and Arkansas River Valleys, rather than the establishment of separate authorities.

Mr. President, I believe that everything we need to accomplish can be accomplished by the utilization of existing agencies of Government without having to create a new authority for each drainage basin. There are certain functions of different agencies already established by the Congress which are indispensable to the development of the Nation's streams and their proper utilization, and legislation that declares and formulates a policy such as the pending flood-control bill does in section 1, and as was proposed in the bill which I introduced dealing with the White and Arkansas River Basins, will enable and permit the development of these waterways.

Another reason, Mr. President, why I think that such a policy is sound is that I believe that the supervision of navigation on our navigable streams should remain under the War Department and under the supervision of the Chief of Army Engineers. It is further my judgment, Mr. President, that all projects on navigable streams, on all streams where flood control is a vital problem, should be constructed with a view to controlling floods and in aid of navigation. Those ought to be the primary purposes of the construction. Particularly is that true in the lower valleys of the White and Arkansas Rivers. I realize that upon the upper stretches of

the streams the great problem possibly of the people living there is to get water for irrigation purposes; but there is no conflict of interest between the people on the upper stretches of the streams who require water or who need to utilize the water that can be made available for irrigation purposes, and the people downstream, because the interest of those living downstream is to try to control the floods, and certainly the water that is stored in the reservoirs on the upper stretches tends to relieve our burden and problem in the lower valleys. I believe, except for the projects which might be constructed on the upper stretches of the streams primarily for irrigation purposes so as to impound water for that use, that all projects constructed in the lower valleys should be constructed primarily to control the floods, and then for the secondary purpose of generating power.

It matters not, Mr. President, how much cheap power we are able to generate and give to the people in a valley by the construction and operation of a dam, if we do not give them protection from devastating floods we can easily see all the fruits and benefits which come to any section from cheap power washed away and lost when the floods come. The dams ought to be constructed primarily for the purpose of flood control and navigation and secondarily for the purpose of generating power.

I subscribe wholeheartedly to the policy set forth in the flood-control bill, especially in section 1 thereof.

Mr. MILLIKIN. Mr. President, I should like to ask the senior Senator from Louisiana a question. With reference to the provision of the bill which is now being discussed, the Senator from Wyoming [Mr. O'MAHONEY] and a large group of Senators have proposed amendments which include what might be a supplemental statement of policy, and I am going to ask that this matter go over until the Senator from Wyoming can be present, and perhaps some agreement can be reached as to the other statement of policy.

Mr. OVERTON. Of course, I should be very glad to accommodate the Senator, but I should like to make some progress. I do not think the amendments which the Senator from Wyoming has in mind affect the matter before us at all. They do not relate to it.

Mr. MILLIKIN. I do not believe they conflict.

Mr. OVERTON. He does not undertake to amend the committee amendment.

Mr. MILLIKIN. No, but there is a statement of policy to be included at an appropriate place, which, if included at an appropriate place, might supplement the committee's statement of policy.

Mr. OVERTON. Let us pass on the pending amendment, and when the Senator from Wyoming presents his amendment, we will act on it.

Mr. MILLIKIN. If I am not losing any parliamentary position—

Mr. OVERTON. Not at all.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ken-

tucky [Mr. BARKLEY] to the committee amendment.

Mr. MURRAY. Mr. President, I should like to make an inquiry with reference to the first section. I cannot understand the necessity for this language in the bill at all if it is not designed to create the notion in the country that the enactment of the language would preclude the possibility of a program like the T. V. A. program for the various river basins of the country. I cannot see any other purpose, because we have been enacting this character of legislation annually without provisions of this character.

Mr. OVERTON. I think the Senator is in error. We have had provisions in *pari materia*, not in the exact language.

Mr. MURRAY. This is an attempt through the language employed to create the idea that this will provide for a realization of other benefits to be derived from such projects. Such language was never included in any previous measures which have been enacted, and the sole and only purpose of it can be to create the impression that there is no need for a unified program of development of the various river basins such as was provided under the T. V. A., or under similar authorities which might be created in other sections of the country. It is not relevant to the bill at all except for the purpose of establishing a legislative or moral precedent that this legislation concludes the subject, and makes it unnecessary for the Congress again to consider the proposition of a unified development of these river basins. It is proposed that it can all be done under the arrangement set forth here.

Mr. BARKLEY. I may say to the Senator from Montana that the amendment which I offered a moment ago, I think, takes care of the situation by limiting this declaration of policy to the projects carried in the bill. That was my purpose in offering it, and I understand there was no objection to it.

Mr. MURRAY. I cannot understand why it is necessary to have such provisions in the bill in any form.

Mr. BARKLEY. I argued that here at some length a while ago. I expressed myself as having an objection to having a declaration of policy in regard to the projects carried in the bill. My objection was to the interpretation placed upon the language by those who feared it was an effort to place some moral restrictions upon Congress, although Congress could not be legally restrained as to what it might do in the future. For that purpose I offered the amendment, and to it there is no objection. I thought it had been agreed to, but I am informed it has not yet been agreed to.

Mr. MURRAY. For my part, I do not see the need for this language in the bill at all, and it has only one purpose, that is, to attempt to preclude the country from having developments such as the T. V. A. in the various river basins of the country.

Mr. OVERTON. Does the Senator contend that such a provision would be very effective in hereafter and forever preventing all these developments?

Mr. MURRAY. No, but it is designed to give an approval of the programs which have been carried out thus far, and which have failed to accomplish any material results. It has been piecemeal legislation. I find, too, that many of the Members of Congress who serve on the committees which control this kind of legislation go before the people of their various States claiming that they have special advantages because of their positions on these committees, and they claim they get projects for their sections of the country while other sections of the country are unable to get them.

Mr. OVERTON. I hope the Senator is not referring to the chairman of the subcommittee, to the Senator in charge of the bill, who is myself, because if he looks at the bill he will see that there is scarcely anything in it for Louisiana, as compared with other States.

Mr. MURRAY. I am not referring to the Senator from Louisiana.

Mr. OVERTON. The Senator was looking me squarely in the eye when he was making the statement.

Mr. MURRAY. I could not look in any other direction. I could not look at the floor. I like to look at the distinguished Senator from Louisiana when I am talking to him. But it seems to me that the record of the Congress in handling these matters over the years has shown a failure. The efforts have been piecemeal efforts to remedy the conditions, and have failed to bring about any real development of the resources or expansion of industry in the various river basins of the country. The only way that can be accomplished is by an authority such as was set up under the T. V. A. That would then give us a unified development of an entire basin, would give us not only a program for flood control and for irrigation and power, but would also give us an opportunity to develop the natural resources of the sections of the country involved. This is going to be especially important in the post-war period, when it becomes necessary for us to bring about a huge expansion of industry in this country, and to provide homes for thousands of new settlers in the western section of the Nation, where these projects can be carried out.

It seems to me this language should be entirely eliminated from the bill so as to prevent any notion that the Congress is approving the record that has been made in carrying out these projects in various sections of the country. I am opposed to this first section in its entirety.

Mr. CLARK of Missouri. Mr. President, I intend to vote against the amendment of the Senator from Kentucky, although I do not intend to make a fight about it, because I do not think it amounts to anything.

The language of the committee amendment, of course, does not attempt to bind any future Congress. Everyone who knows anything knows that one Congress cannot bind another, and that a Congress today cannot bind its own action a week later. I shall vote against the amendment because it is simply intended to curry favor with a couple of editorial writers on the St. Louis Post-

Dispatch and the St. Louis Star-Times. Mr. Ralph Coghlan, principal editorial writer on the Post-Dispatch, a few months ago happened to read Dave Lilienthal's book on the Tennessee Valley Authority, and he immediately committed the Post-Dispatch to a very enthusiastic program for a Missouri Valley Authority. He had previously committed the Post-Dispatch in the strongest terms in opposition to the President's foreign policy before Pearl Harbor and then done a complete about face on the return from Canada of Mr. Joseph Pulitzer, the owner of the paper. The last time I saw Coghlan was at a dinner given Colonel Lindberg on the occasion of his speaking in St. Louis. Shortly after that, I understand, in some manner Mrs. Coghlan, Ralph Coghlan's wife, who was also an editorial writer on the Post-Dispatch, was permitted to fly over the T. V. A. in a Government plane and at public expense, and they began to write articles about the T. V. A., and to suggest that the vast Missouri River Valley should be subjected to the same treatment the Tennessee Valley had received.

Of course the St. Louis Post-Dispatch is a piratical craft, but it is a man o' war. The St. Louis Star-Times always comes in a couple of weeks later as a rowboat in the wake of the piratical craft of the Post-Dispatch. If you want to know what will be in the Star-Times tomorrow all you have to do is to read the Post-Dispatch of 2 weeks ago. So, of course, shortly after Mr. Coghlan had written his editorial, and his wife had flown over the Tennessee Valley in a Government plane, the Star-Times came along to the same effect.

Mr. Coghlan is the fellow who raised the question as to whether we were attempting to bind a future Congress, which, if he had been a lawyer he would have known would have been impossible to happen. The Senator from Kentucky, able lawyer and jurist that he is, certainly knows that. This amendment is simply, in my opinion, a cheap catering to two cheap editorial writers on the St. Louis Post-Dispatch and the St. Louis Star-Times, and for that reason, while I have no objection to it and know that it is entirely innocuous and does not in the slightest degree change the effect of the committee amendment, I intend to vote against it. It is only an exception without meaning of an obvious constitutional fact that one Congress cannot bind another one.

Mr. BARKLEY. Mr. President, I wish simply to state in reply to the Senator from Missouri that it is a matter of indifference to me as to how cheap he thinks my performance may be here in offering the amendment. Long before I ever heard of any amendment or any editorial in the St. Louis Post-Dispatch, I was opposed to the Congress attempting to create the impression that it was holding out the hope that it might bind future Congresses by the continuation of a policy which ought to be limited to a provision carried in a bill.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me, the Senator has supported many measures on this floor which, without attempting

to bind any future Congresses, declared a policy of Congress for the guidance of executive bureaus which would be in effect until such a time as the Congress saw fit to change the policy. That is all this amendment attempts to do.

Mr. BARKLEY. I do not claim to be as profound a constitutional lawyer as the Senator from Missouri.

Mr. CLARK of Missouri. The Senator from Kentucky is an able constitutional lawyer.

Mr. BARKLEY. But even I know that one Congress cannot bind another Congress. I know that one Congress ought not to create the impression that it is trying to bind another Congress. That is what my amendment tries to save this proposal from.

Mr. CLARK of Missouri. Then I think we ought to write into the bill an amendment that we should not abolish the Presidency or the House of Representatives or any other constitutional function.

Mr. BARKLEY. Of course, the Senator can carry the suggestion for amendment ad nauseam and ad libitum and ad infinitum if he wishes to.

Mr. CLARK of Missouri. It seems to me no example I could give could be more ridiculous.

Mr. BARKLEY. The amendment I offer is no more ridiculous than the effort made by the bill to create the impression that we are trying to settle the policy of Congress for all time.

Mr. CLARK of Missouri. Of course, that is not intended to be done.

Mr. BARKLEY. I am not so certain that the language here is not an attempt to settle a permanent policy on the part of Congress, otherwise why did not the committee write in the language that is now agreed to by the committee; that it shall only have effect upon the projects carried in this bill?

Mr. CLARK of Missouri. Mr. President, I have seen the Senator from Kentucky on at least 40 different occasions since the present administration came into power in 1932, stand on this floor and defend declarations of policy much more binding and much more stringent than anything proposed in this bill. It just so happens that the Senator has read the editorial in the St. Louis Post-Dispatch, which he has just put into the RECORD, and was actuated to offer this amendment.

Mr. BARKLEY. I do not know anything about the motives which inspired the editorial carried in the St. Louis Post-Dispatch. I do not know whether the editorial was a cheap one, or whether the editors are cheap editors. I do not know anything about the character of the people who write these editorials. I do not have the honor or privilege of their acquaintance. But long before I ever saw this editorial, in connection with legislation of this kind dealing with rivers and harbors and the permanent improvement of our resources, I objected to one Congress attempting to bind another Congress by a declaration of policy, or, even though it could not do it, at least endeavor to have some moral effect upon the succeeding Congress.

Mr. CLARK of Missouri. Did the Senator protest against the declaration of policy which was the preamble to the act creating the P. W. A.?

Mr. BARKLEY. No; I do not suppose I did, and it would not have anything to do with the matter now before us whether I did or did not.

Mr. CLARK of Missouri. Very well. The Senator has defended on this floor many declarations of policy by Congress.

Mr. BARKLEY. That was a declaration of policy dealing with a temporary unemployment condition, and we did undertake to establish a policy and declare a policy of giving men work in a great depression. That is quite a different thing from trying to bind future Congresses with respect to the permanent improvement of our natural resources.

Mr. McCLELLAN. Mr. President, since the section of the bill now under discussion was taken from a bill which I introduced dealing with the Arkansas and White River Basins in which the same identical policy was set out, I want the record to show that I am opposed to the amendment offered by the senior Senator from Kentucky. Of course, there is no attempt here to do the impossible. We all know, and it is agreed by everyone, that the action taken here today in this legislation cannot bind a future Congress. But I submit that if this is a good policy for the pending bill and the projects which are authorized therein, if it is good for these projects and for this measure, then it is good for all projects heretofore authorized by the Congress with reference to which no previous legislative policy has been established.

Mr. PEPPER. Mr. President—

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Florida?

Mr. McCLELLAN. I yield.

Mr. PEPPER. In view of the fact that the Senator was apparently the author of the prototype of this amendment, I should like to know what in the mind of the author is the intention or implication of this language. In what respect does it change the policy which we have followed in the past?

Mr. McCLELLAN. Mr. President, in answer to the Senator from Florida I will say that when I drafted the bill from which this section was taken I was not undertaking to formulate or to establish a policy for the Nation as such. I was dealing primarily with river basins that my people are vitally interested in, and in the absence of a valley authority having been established to deal with the project in those river basins, the White and Arkansas, in order to coordinate the different projects that are now being constructed in those valleys, and those that have heretofore been authorized, and such as may be hereafter authorized, I was trying to establish a definite policy with respect to those projects in those two river basins. I was not undertaking to fix one for the Nation. I do think it would be good until such time as the Congress may decide that it prefers to proceed by the establishment of separate authorities for each drainage basin. In other words, as I understand it now

we have no definite fixed policy in many respects. For instance, take the power generated on dams in my section—and we have one just about completed now, the Norfolk Dam. There is no authority, there is no policy, with reference to that power except a directive or an Executive order from the President which deals with it during the emergency period only. When that power becomes available the Southwest Power Authority, which has jurisdiction of it by reason of the Executive order, is unable to make contracts for the power or make any disposition of it for a period of time beyond 6 months after the end of the war. And therefore looking to the development of our waterways I was undertaking, when I drafted the bill, to fix a policy by legislation under which we could operate which would enable those in authority to act, and in the bill which I introduced I placed the power under the Secretary of the Interior for his disposal just as the President had done by Executive order. But it would enable them to make contracts beyond the end of the war. In the absence of a legislative policy, I undertook to deal with the question of fixing a policy by legislation until such time as the Congress, if it should ever wish to change it, might make a change. Apparently the Commerce Committee simply took that section of the bill which I had introduced for the White and Arkansas River Valleys and incorporated it in this general flood control bill, to serve as a declaration of policy until such time as Congress might wish to legislate further.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. PEPPER. As I understand, the language was intended to mean only that the policy of universality should apply until Congress might decide to set up a governing authority for a particular area.

Mr. McCLELLAN. Absolutely. In other words, it is an interim provision. If Congress should finally enter upon the program of establishing regional authorities or valley authorities as a general program for the development of our waterways, when such authorities are established these policies would be abrogated, or merged into the new procedure.

Mr. CHANDLER. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. McCLELLAN. I yield.

Mr. CHANDLER. As I read the declaration in the bill, it simply states that it is the purpose of the act to establish a definite policy of making use of existing Federal agencies for the construction and operation of such works. In the future would not anyone undertaking to establish some authority be faced directly with an expressed intention of Congress, unless it were changed, to the effect that it is the purpose to be guided by this provision until some Congress changes it?

Mr. McCLELLAN. That is correct.

Mr. CHANDLER. In the future, if the Senator from Montana [Mr. MURRAY], for example, should wish to establish a Missouri Valley Authority, he would be

faced with the declaration of this Congress that it wishes to handle the program through existing agencies. He might be able to overcome that handicap, but the burden would be distinctly upon him.

I do not know what will happen to the amendment offered by my colleague; but if that is the burden which is to be imposed upon anyone in the future—and I so conceive it—I intend at the proper time to move to strike the entire section, because it is meaningless. We all agree that we cannot even bind this Congress for the remainder of the session. We cannot bind the next Congress. I do not intend to be a party to trying to bind this Congress or any future Congress. I do not wish to place a burden upon anyone who may in the future wish to establish some authority.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MURRAY. The Senator from Kentucky [Mr. CHANDLER] states exactly the position which I sought to state a few moments ago. There should be no need for such a provision in this bill, unless it is intended to declare a policy which is to affect the development of river basins in the future. The record in the case shows that such policies have been a failure in the past and will continue to be a failure in the future. I do not need to depend upon newspapers from St. Louis to tell me that. We know it from our actual experience in the West. I know that during all the years while this work has been going on, the results which have been accomplished have been very poor.

I have before me an editorial from the New York Times, which I should like to submit for the RECORD at this point in my statement. It indicates the great need for unified development of river basins, and the possibilities which might flow from such development. I ask unanimous consent that an editorial entitled "Future of the Northwest" published in the New York Times of July 16, 1944, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FUTURE OF THE NORTHWEST

Like the rest of the country, the Pacific Northwest is booming, and it is booming, for one reason, because of Columbia River electric power. The region has one-third of the Nation's aluminum capacity. It is producing magnesium, ferro-alloys, calcium carbide, chlorates, metallurgical coke, zinc, copper, mercury, tungsten, antimony. Much lumber comes from its forests, and much grain and fruit from its farms and ranches. But the development is lopsided because it has thus far met the exigencies of war primarily. No region in the country has such a varied climate and such an agricultural and industrial future. If the most is to be made of such possibilities, if the expected post-war slump is to be largely averted, an entirely new administrative structure is needed—a structure clothed with such authority that it will not merely supply electric energy to factories and homes but help knit the Pacific Northwest into an economic fabric in accordance with far-reaching plans already laid.

An example of what can be done is presented by the Tennessee Valley Authority, which has such broad powers that it can carry out a flood-control program, aid navigation, distribute power to factories and households, develop parks for recreation, conserve soil, reclaim land, and engage in about any other activity that does not properly belong to private enterprise. In the Columbia Valley, by contrast, half a dozen separate agencies and bureaus are trying to perform a similar task. Some, like the Bonneville Administration and the Reclamation Service, are part of the Department of the Interior; some fall in the jurisdiction of the Departments of War and Agriculture; others are State bodies.

The Pacific Northwest has resources far richer than those of the Tennessee Valley. Its industrial and agricultural activities are not sufficiently diversified and may decline after the war. Its population is relatively smaller to the square mile than that of the Tennessee Valley and anything but permanent in these war days. Markets are not near at hand. There is no difficulty about selling Columbia River power. The question is how it can be sold to the greatest advantage to selected industries and to farmers who must learn what the region needs. For all these reasons the Bonneville Administration should have the corporation form of administration which has been so successful in the Tennessee Valley, so that it may change its policies to meet new social needs. It should conduct more practical research to make the most of land, water, mineral resources, and forests.

This does not mean that States and local communities must relinquish all their rights, but it does mean that they will have to give up claims for individual consideration. As it is, the Bonneville Administration has the necessary leaders, but they are hampered because they must take orders from Washington and at the same time yield to local ambition. This is the time to reorganize the administration now charged with making the most of Columbia River power. If Congress waits until the war is over and the workers in the shipyards and industrial plants migrate, years may elapse before the Pacific Northwest can march forward with the certainty of reaching its goal.

Mr. MURRAY. I also ask that, following my remarks, there be printed in the RECORD a brief summary of a statement which I have prepared.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE OMAHA AGREEMENT OF THE ARMY ENGINEERS AND THE BUREAU OF RECLAMATION

The so-called Omaha agreement between the Bureau of Reclamation and the Army engineers is strictly an engineering agreement providing the basis for comprehensive and integrated development of the Missouri River system only as regards structures to be built and the capacity of the reservoirs, thereby reconciling the differences between the Army's plan and the Bureau's plan. This agreement resulted from demands of the Congress, the Bureau of the Budget in behalf of the President, and the State Governors' resolutions for presentation of an agreed plan after the Bureau of Reclamation had opposed the authorization of the so-called Pick plan of the Army engineers which the Bureau said would foreclose certain phases of beneficial development of the valley. The basis of the engineering agreement, which has been called the Omaha agreement, is that upstream structures assure certain use of the waters for irrigation and power and that a certain amount of reservoir space provide for protection against flood control and a certain amount of water be available for downstream navigation.

Close observers have noted that the Army's willingness to consider such a compromise

increased after opposition by the Bureau of Reclamation before the Senate to the Pick plan and increased again to such a point that a compromise was possible following the introduction of the Murray bill for the establishment of a Missouri Valley Authority and similar bills which were given wide support. The President's message endorsing the principle of an authority for the basin preceded the Omaha agreement by only a few weeks.

DOES NOT FORECLOSE THE MISSOURI VALLEY AUTHORITY

The so-called Omaha agreement does not foreclose the establishment of a Missouri Valley Authority nor does it solve a great number of questions which might be solved by such an authority. While the Omaha agreement provides for comprehensive development of the river system in its entirety, it gives consideration largely to irrigation, power, flood control, and navigation principally. It does not, of course, provide for a singly unified administration of the comprehensive development. The Bureau of Reclamation is on record in testimony before the Senate Commerce Committee and in public statements to the effect that this plan in no way forecloses a single agency administering the development of the whole river. The agreement, however, is intended to end or reduce conflict between the various multiple interests of the Department of the Interior in the valley and the flood-control and navigation interests of the War Department. It is believed that the development contemplated in the so-called Omaha agreement would be a necessary part, but not all, of any development undertaken were the Congress to provide a single authority to administer the resources of the valley.

PENDING RIVERS AND HARBORS AND FLOOD-CONTROL BILLS

There are pending before the Senate omnibus rivers and harbors and flood-control bills. Both of these measures embrace a wide variety of development in no way related to the Missouri Valley, as well as certain items that are related to the valley. These two measures are objectionable on several scores to the Department of the Interior and the Bureau of Reclamation both as to the Missouri River items and the other items. Broadly speaking, the Department of the Interior does not think that they provide for and protect fully the programs of orderly, integrated resource development with which the Department is concerned. Included in the non-Missouri Valley items in both these twin measures are a number of developments in various other areas for which the President has indicated a desire for authority bills to provide for unified basin-wide administration. It is the opinion of the Department of the Interior and the Bureau of Reclamation that more adequate consideration to the needs of the affected areas can be given by the Congress if action on these omnibus measures is deferred until the new Congress is in session.

Mr. McCLELLAN. Mr. President, in answer to both the Senator from Kentucky and the Senator from Montana, let me say that certainly until some legislation of this character is enacted, we shall be proceeding with the authorization and construction of many valuable projects without a declaration of policy by law. Our policy at present is being fixed by Executive order. As the Senator from Montana says, that is a pretty weak way to do it. Possibly we are not getting the maximum results. Possibly valley authorities would be a better method of procedure. I do not know. But certainly until such time as the Congress acts and creates the authorities, there ought to be a legislative policy

with respect to the procedure. This may be a weak policy, but certainly we have none now established by the Congress. Therefore we ought to act so as to take care of the interim period. Then if we find that this policy is not adequate, and the Congress wishes to change it, I do not see that any burden would be placed upon any one in changing the policy as we develop the authority program, if that is the way we later decide to pursue the development. If we decide that that is the better course to attain our objectives, namely, the development and utilization of our water resources, it can be done without any violence whatever. The proposed policy would do no violence to the suggested program, so long as the authorities are not in existence.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CLARK of Missouri. It seems to me that in this debate it has been overlooked to a very large extent that this is a flood-control bill, not a navigation bill, not a river and harbor bill, not a power bill. It is a flood-control bill; and the question of flood control, not in Montana, but in the lower region of the Missouri River and of the Mississippi River, is the most acute problem we have to face. It seems to me that it is completely overlooked that the whole theory of Federal responsibility and Federal action in flood control is of comparatively recent origin. It was only after the great floods of 1928 and 1929 that Federal responsibility for flood control was ever assumed, and then only as to the main stem of the Mississippi River, Lake Okeechobee in Florida, and the Sacramento River in California. It has only been since I have been a Member of the Senate, and since the Senator from Louisiana, who is in charge of the bill, has been a Member of the Senate, that there has been established the principle of Federal responsibility for flood control on the tributaries as well as the main stems of the great rivers. That has necessarily been a piecemeal business. We have made an advance from one stage to another. Therefore, it has been largely a matter of specific authorizations by Congress in each particular bill, and a very large measure of discretion has been left to Government agencies.

The pending committee amendment, adopted from the bill of the Senator from Arkansas, represents nothing more than an effort to formulate a general policy as the policy to be pursued by executive agencies in progressive flood-control measures, until such time as the Congress may see fit to change the policy. If the Congress wishes to establish a Missouri Valley Authority, which I think is preposterous, there is nothing to prevent Congress from doing so. But until Congress sees fit to do so, all that it is proposed to do by this amendment, which is adopted from the measure introduced by the Senator from Arkansas, is to establish a general rule for guidance in matters of flood control, in a field which has only recently, within the service of a great many Members of the Senate,

been assumed by the Federal Government.

Mr. McCLELLAN. Mr. President, the Senator from Missouri has well stated the position of the proponents of the amendment. The thing which prompted me to introduce such a measure was the fact that the development of the Arkansas and the White River Valleys was then and is now under way. Projects are under construction, and others are authorized, awaiting the end of the war, when materials can be made available. We are proceeding with this construction without a definite legislative policy.

There should be something to guide us, something to point out what our objectives are, and to point out the manner in which we intend to achieve them.

Now I yield to the Senator from Ohio.

Mr. BURTON. Mr. President, sometime earlier this afternoon, before a number of the Senators who now are discussing the matter were in the Chamber, a statement was made on behalf of the subcommittee by both the chairman of the subcommittee and myself as a member of it. That statement emphasized the point which the Senator from Arkansas is now making. The Senator from Arkansas introduced a statement of policy in his bill. That statement of policy, which fitted well into the general bill, has been incorporated in the pending bill.

To this statement of policy I understand that the Senator from Kentucky [Mr. BARKLEY] is requesting the adoption of an amendment providing merely for the insertion of the words "provided for in this act." This is to make the section refer expressly and only to the improvements provided for in this act. It seems to me that what he has in mind is that, first of all, the Congress cannot now establish a policy which will bind future Congresses, and that, furthermore, this bill does not prohibit the setting up of new agencies. The bill does, however, contain a statement that we wish to make all necessary improvements in America, with the least possible waste of mechanics of government in doing so.

In the pending bill we have attempted to give an illustration of how to accomplish a considerable amount of our objective with existing agencies. We do not wish to have the bill used or cited in an executive decree or executive order or in any kind of directive as authority for the establishment of a new authority to manage the things which we have said can be managed by existing authorities as provided for in the bill.

Therefore, I think it is important for us to emphasize the fact that we think the work can be done by existing agencies, that we so declare, and that we do not leave the bill as merely authorizing independent projects under no general policy. We should declare that it is our policy to use and coordinate the existing agencies. Such a declaration will make it impossible for this bill to be cited as authority for doing such things in some other way. If the Congress later desires to have the work done in some other way, that will be all right. I think the pending bill is an example of how to do it under existing authority, and I think it highly important to make that state-

ment of policy in the opening paragraph of the bill.

Mr. McCLELLAN. By doing so, Congress would retain the power of saying how it should be done.

Mr. President, with respect to the amendment of the Senator from Kentucky, let me say that his amendment would simply restrict the application of this policy to the projects authorized under the pending bill. In the pending bill we are authorizing projects on streams which are more or less inter-related to other projects already authorized. It seems to me that no legislative policy along that line has been declared as to them at all. They are subject to any sort of Executive order with reference to policy or other matters. But if we adopt the amendment proposed by the Senator from Kentucky, we say that this policy will apply only to the projects covered under the pending bill. And with respect to other projects heretofore authorized on the same streams, there is no legislative policy as to them. Therefore, it seems to me that either the whole committee amendment should be stricken from the bill—I say that in all sincerity—or it should be retained and adopted just as it is, whichever the Congress wishes to do. If we strike out all of it, then we have no legislative policy, and will continue to proceed as heretofore without any adequate legislative policy or direction. If we retain the committee amendment, then Congress has fixed the policy which will control until such time as it may be changed.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield first to the Senator from Montana, who has been on his feet for some time.

Mr. WHEELER. Mr. President, I wish to call attention to the fact that the Senator from Missouri stated a moment ago that the pending bill is a flood-control bill. While it is true that it is a flood-control bill, we must bear in mind that its provisions reach much further than do the provisions of a mere flood-control bill, because in the pending bill an effort is made to lay down a policy not only as to flood control but with respect to the development of power, the sale of power, irrigation, and reclamation. While it is true that the next Congress or even the present Congress can change such a policy, in that connection I have a distinct recollection regarding legislation which developed with reference to the Fort Peck Dam. Because of the fact that the War Department desired to have a certain amendment adopted, and it was adopted, I was confronted with the proposition that a policy with reference to the Fort Peck Dam had been laid down by the War Department, even though it was never intended as a policy of the administration when the legislation was enacted. But that was constantly thrown in my teeth by the Senator from Louisiana and the Senator from Missouri—

Mr. OVERTON. Oh, no, Mr. President; the Senator is in error about that.

Mr. WHEELER. I do not think I am in error about it.

Mr. OVERTON. I will make my statement later, but I should like to say now

that what I said to the Senator was that the undertaking was authorized as a navigation and irrigation project. That is what I said, and that is all I said. I did not say that future Congresses could not change it.

Mr. WHEELER. Of course, the Senator did not say so.

Mr. OVERTON. Certainly I did not. The Senator from Montana took the position that the undertaking was an irrigation project.

Mr. WHEELER. Oh, no, Mr. President; the Senator is entirely mistaken about that. I did not take the position that it was an irrigation project.

Mr. OVERTON. I so understood.

Mr. WHEELER. I took the position that it was a flood-control, navigation, and irrigation project.

Mr. OVERTON. Yes; but the Senator said that irrigation was transcendental.

Mr. WHEELER. Oh, no; the Senator is mistaken.

Mr. OVERTON. Very well. Then we are both agreed that it was a navigation project. And that is what it is today.

Mr. WHEELER. That is correct—navigation, irrigation, and flood control.

Mr. OVERTON. And power.

Mr. WHEELER. There can be no question about that now. It so happens that I was the Senator who talked first to the President about it, and I know what was in his mind.

Mr. OVERTON. I do not know what the President said, but I know what Congress said when it authorized it.

Mr. WHEELER. But that was after the project had been started. It had been started and projected under the Public Works Administration. Then, after it had been commenced, in order to obtain a further appropriation, in addition to the W. P. A. funds, to be used to complete it, the amendment to which I have referred was suggested. It never for 1 second occurred to me or to anyone else that the amendment would be cited as a declaration of policy, and that the statement would be made that the project was merely for flood control or for navigation, as the Senator and as members of his committee have contended.

Mr. OVERTON. Mr. President, the Senator is in error. Neither the War Department nor I so contended.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. WHEELER. Mr. President, I think I have the floor; the Senator from Arkansas yielded to me.

Mr. OVERTON. Mr. President, as I just said, neither the War Department nor I ever made such a contention. He said it was for all those purposes. That testimony is contained in the hearings.

Mr. WHEELER. I also call attention to the fact that a policy for reclamation, a policy for power, and a policy for the sale of power are being inserted in the pending bill. It provides specifically that power which happens to be generated at such projects cannot be sold except at wholesale. It can be sold at wholesale. A reclamation project can grow out of this project, provided the Secretary of War—

Mr. McCLELLAN. Mr. President, that provision is in another section of the bill. It is not contained in this section of the bill.

Mr. WHEELER. Yes; but that is the policy which is being laid down in the bill. If the project can be used for irrigation and reclamation, the Secretary of the Interior will be able to go to the Secretary of War, with his hat in his hand, and if the Secretary of War says that the project can be used for irrigation and that it is proper for irrigation, then it will be agreed that some of the water can be used for irrigation and reclamation, provided, of course, that they come back to Congress, and provided, of course, that the persons concerned can afford to pay for it, and provided, of course, something else.

I submit that when we lay down a policy of that kind, everyone who comes to Congress in the future with an application for a reclamation project or for some similar project will be confronted with this policy, as laid down by the Congress of the United States, and will be told that this is the definite policy which should be followed.

I am interested in flood control projects being favorably considered, because floods occur in my State. Perhaps they are not so devastating as the floods which occur in Missouri, but, nevertheless, we have had some devastating floods in Montana. When, however, it is proposed to regulate irrigation, navigation, and reclamation in Montana, I am opposed to that being done without at least certain restrictions. I am interested in navigation, and I have helped in every way in which I could in the promotion of navigation, but I do not want those who are interested in navigation to come into my State and tell us how our reclamation is to be regulated, or how the sale of power is to be regulated. It seems to me that that is something which should not be laid down as a national policy in this kind of bill. It should be treated as a separate problem.

Mr. McCLELLAN. Mr. President, the Senator from Montana is far better informed than I with respect to reclamation and irrigation projects, and the need of water and its uses in the State of Montana. Neither by the section under discussion nor by any other do I wish to do any violence to the State of Montana or any other State which needs and depends on irrigation projects. But with respect to a policy as to power, I believe that it should be the same throughout the Nation. I may be wrong about it. Today the power generated from the dams to which reference has been made is subject to Executive order. If we are to develop our waterways, I believe that the time has come for Congress to say what the policy is to be. If the policy is a wrong one, we should change it. But Congress should assume responsibility for it, and then we can move ahead and make progress.

Mr. WHEELER. Mr. President, I agree with the Senator from Arkansas. We should have a policy for power. It should not be left to the whim of any one of the executive branches of the Government. I am also in thorough accord with the suggestion that we should have a policy with

reference to flood control, and that it should not be left to the whim of any executive department, whether it be the War Department, the Interior Department, or any other department. The same thing is true with regard to reclamation.

What I am objecting to, however, is the claim that we should establish a policy with reference to reclamation or power in a flood-control bill. It seems to me that sufficient opportunity is not given us to give the matter the consideration which some of us believe it should have.

I may be in error, and I hope the Senator from Louisiana will correct me if I am, but because of a speech which he made in Louisiana the people in the Northwest were certainly stirred up. He talked about certain uses of the waters which should come first, and stated that irrigation should come next.

Mr. OVERTON. Who said that? Was the Senator present?

Mr. WHEELER. When we come to the question of what is most important in this country—

Mr. OVERTON. Mr. President—

Mr. WHEELER. Allow me to finish my statement and then I will yield.

When we come to the question of what is most important for the masses of the people of this country, whether it be to allow a little more water to go down the Missouri River for the Standard Oil Co. and a few other big companies which operate and put the money in their pockets, or to furnish homes for the soldiers who will come back and need homes to live in, I shall want to discuss the problem at some length on the floor of the Senate.

Mr. McCLELLAN. I do not know whether the Senator meant any implication in his remark about the Standard Oil Co.

Mr. WHEELER. No. I read the testimony before the committee. This is what happened with reference to irrigation: When the Standard Oil Co. representative from Kentucky was testifying, he stated that the money which the company had made was not passed on to the consumer, but that it was put into the pockets of the company and never passed on to the consumer in any instance. If the Senator will check up on the oil shipped up the Mississippi River, on the lumber which goes down the river, and on the cement which goes up, he will find that not a single solitary nickel or dime was passed on to the consuming public of this country.

Mr. McCLELLAN. The people of the State of Montana may need water for irrigation and agricultural purposes. In our State we have to keep the water off our lands. There is a line somewhere between Montana and Arkansas where our rights will not conflict, and where the people of the State of Montana may have irrigation and we of Arkansas may restrain the flood waters. That is what I hope to see done. I want to see dams built primarily for flood control. I am speaking of projects farther down the stream. I am sure they would not conflict in any way with the program which the Senator desires to see adopted for his State.

The Senator representing Montana, and I, in my humble effort to represent Arkansas, should have sufficient intelligence to get together on this matter and quit quarreling about it. The Senate should be able to establish a national policy which will enable us to construct the proposed projects, and build up our country.

Mr. WHEELER. I agree with the Senator from Arkansas.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CLARK of Missouri. I agree entirely with what the Senator from Arkansas has said. But in view of what the Senator from Montana has said about the character of the pending bill, I wish to call attention to the fact that the bill originally started as a strictly flood-control measure, and that the whole question of irrigation and reclamation was injected into the measure entirely improperly and irrelevantly, in my opinion, by an amendment introduced by the Senator from Wyoming [Mr. O'MAHONEY], joined in by numerous Senators from other irrigation States. They undertook to establish an absolute priority in futurity, not only as to the use of water for existing irrigation projects, but in all futurity for any project which they might devise, including one which would extend into Canada and divert water from the Missouri Basin into an entirely different watershed.

The controversy concerning that matter was waged not by the people who are interested in flood control, but by Senators who went before the committee, sat with the committee, and, through the courtesy of the committee, proceeded to examine, cross-examine, and browbeat witnesses when they could do so. They were not interested in the slightest degree in flood control, but were interested in establishing a priority for all the future with regard to all water which might fall on the Missouri watershed.

Mr. President, I believe it is unfair for the Senator from Montana, who is my very dear friend, to say at this time that the bill is not a strictly flood-control bill because the provisions which have to do with anything else than flood control were not inserted by those who were interested in flood control, but were inserted in the committee in an effort to compromise with and satisfy the people who are interested in power, irrigation, reclamation, and other subjects.

This controversy originally took place, not on the flood-control bill, but on the river and harbor bill, where it certainly had no place whatever. I repeat, those who were interested in navigation and those who were interested in flood control were not responsible for injecting extraneous issues into those two measures.

Mr. BARKLEY. Mr. President—

Mr. McCLELLAN. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, awhile ago I asked the Senator to yield to me merely to call attention to the fact that Congress has not been devoid of a policy with respect to the improvement

of rivers and harbors, nor as to flood control. There has not been a river and harbor bill passed, as I recall, certainly since I have been a Member of Congress, which did not carry the specific provision that the improvements carried in the bill should be handled by the Secretary of War through the Chief of Engineers. That has always been the policy of Congress, that river and harbor improvements should be carried on through the Corps of Engineers.

The Flood Control Act of 1936 enunciated the policy that the improvements for flood control should be under the direction of the Secretary of War, through the Chief of Engineers, subject to the right of the President to allocate priorities for emergency flood-control projects. In other words, he had the right, under the act of 1936 to designate which projects he thought were most emergent, because they could not all be carried on at the same time, they could not be begun at the same time. But we have had that policy with respect to flood control, and that is still the law, and it is still the law and we had the same policy with respect to the improvement of rivers and harbors. Therefore I do not agree with the observation of the Senator from Arkansas that we have never had any policy with regard to these improvements. We have had a policy.

Inasmuch as it has been the policy, both as to river and harbor improvements and flood control, that these projects be carried on under the directions of the Secretary of War through the Chief of Engineers, it seems to me unnecessary in this bill to reiterate that policy. If it is to be limited to the matters carried in the bill or covered by the policy heretofore adopted, I cannot see any reason for writing in a new policy, which does not contemplate anything else. If it contemplates something beyond river and harbor improvements and beyond flood control, we should know what it is.

It is for that reason that I offered the amendment to the language under consideration, limiting the policy to the projects carried in the bill, which has always been done heretofore when Congress has passed any sort of flood-control or river and harbor improvement bill, to be administered under the Chief of Engineers, or the Secretary of War through the Chief of Engineers.

Mr. McCLELLAN. Will the Senator enlighten me as to what, under existing law, is the policy established by Congress with reference to the disposition and handling of power derived from these projects?

Mr. BARKLEY. The Senator would require me, in answer to that question, to coordinate from memory the provisions of the Federal Power Act. Many years ago we passed the Federal Power Act, setting up the Federal Power Commission, which was instructed, under the law, to cooperate with and to make use of the Corps of Engineers in the construction of dams for power purposes. I could not from memory give all the provisions of the Power Act, but there is nothing inconsistent between the Federal Power Act and the various annual ap-

ropriations by Congress for the improvement of rivers and harbors, or even flood control.

Mr. McCLELLAN. Let me ask the Senator if it is not true that when projects are constructed under existing flood-control acts, multiple-purpose projects, from which electricity is generated, there is no provision in the general flood-control acts with respect to the sale and distribution of the power, but it is now being handled by Executive order.

Mr. BARKLEY. I do not think the amendment we have under discussion now has any relationship to the question of the disposition of power. The amendment offered by the Senator from North Carolina [Mr. BAILEY] today dealt with that subject, and this amendment, attempting to establish a policy, it seems to me, deals more with the inauguration and construction of the projects than the final disposition of power that may be created under them.

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am about to yield the floor.

Mr. MAYBANK. I wish to ask the Senator from Kentucky a question.

Mr. McCLELLAN. I yield to the Senator.

Mr. MAYBANK. The Senator from Kentucky mentioned the Federal Power Commission law. I should like to ask the Senator from Kentucky if it is not a fact that the construction of any of these dams might have in view the generation of electricity. After they have been approved by the Army engineers, as the Senator suggested, is it not necessary that additional hearings be held by the Federal Power Commission before any permission is granted for the sale of power?

Mr. BARKLEY. I think that is true. They have general authority, under the law, to pass upon a license before disposing of power generated by a dam, even though the dam is approved by the Chief of Engineers.

The primary function of the Corps of Engineers in regard to the improvement of rivers originally was to pass upon whether a proposed improvement would obstruct navigation or improve navigation. That has been enlarged from time to time. By and large, any prospective producer of power must have a license from the Federal Power Commission.

Mr. MAYBANK. How about the Government?

Mr. BARKLEY. I am not able to say from memory whether that applies to the Government.

Mr. MAYBANK. But before a prospective producer of power on any river can get his license the Federal Power Commission holds proper hearings?

Mr. BARKLEY. That is true; they have to do that; they have to determine who is best able to produce the power.

Mr. MAYBANK. And whether it is necessary?

Mr. BARKLEY. Yes.

Mr. McCLELLAN. That would not apply to the multiple projects, would it?

Mr. BARKLEY. Only incidentally, because sometimes the production of power in flood-control projects is inci-

idental. Indeed, in most cases it is incidental.

Mr. McCLELLAN. Mr. President, I have stated my position with respect to the proposed modification of the committee amendment, and I hope it will not be adopted.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the committee amendment.

Mr. WHEELER. Mr. President, it is apparent that we cannot pass the bill this evening, and as there are some further provisions with respect to irrigation and reclamation which very seriously affect the whole northwestern area, I should like to have an opportunity to study them during the evening, as I have not had an opportunity to do so. For that reason I am going to ask that the bill may go over until tomorrow.

Mr. OVERTON. Can we not dispose of this one amendment?

Mr. WHEELER. No, because I think this whole amendment vitally affects the provisions with reference to irrigation and reclamation, and before we pass upon it I should like to have an opportunity to see how far it does affect irrigation. For instance, I find this provision:

Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and, within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes.

From a hasty reading of the language, a serious question is raised in my mind as to whether the Secretary of War would not have to pass upon the question of whether people about to receive the benefit of the improvement would be able to repay the cost, rather than have that determined by the Reclamation Bureau and the Department of the Interior, who are always the ones properly to pass upon the question.

Mr. OVERTON. Mr. President, the Secretary of War has nothing to do with that.

Mr. WHEELER. I am not so sure but that the Senator is making that statement too hastily. Notwithstanding what the Senator's assistant tells him, I think there is a very serious question as to whether the Secretary of War does not have to do with it. At least, I desire to look into the matter further.

Mr. OVERTON. Very well.

The ACTING PRESIDENT pro tempore. Is there objection to the amendment being passed over? The Chair hears none, and it is so ordered.

Mr. WHERRY. Mr. President, on behalf of the senior Senator from New Jersey [Mr. HAWKES], who has been called from the Senate Chamber this afternoon, I offer an amendment to section 10, on page 38, after line 22, which has to do with authorizing a survey or preliminary examination of a project.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 38, after line 22, it is proposed to insert the following:

Absecon Island, N. J., with a view to the protection of Atlantic City, Ventnor, Margate City, Longport, and other areas on the New Jersey coast that have been affected from floods due to tide and wind.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the amendment?

Mr. OVERTON. There is no objection so far as I am concerned, Mr. President.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I do not know of any further amendments to be taken up this afternoon. Quite a number of amendments have gone over. I hope we may be able to complete action on the bill tomorrow.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts:

From the Committee on Finance:

Brig. Gen. Frank T. Hines, United States Army, to be Retraining and Reemployment Administrator, to which office he was appointed during the last recess of the Senate; and

William H. Burke, Jr., of Northampton, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass., to fill an existing vacancy.

From the Committee on Naval Affairs:

Capt. Harry L. Merring, United States Navy, retired, to be a rear admiral in the Navy on the retired list, for temporary service, to continue while serving as Deputy Chief of Industrial Readjustment Branch of the Office of Procurement and Material;

William F. Hausman, a naval aviator of the Marine Corps Reserve, to be a first lieutenant in the Regular Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from the 1st day of September 1939; and

Sundry naval aviators in the Marine Corps Reserve, a meritorious noncommissioned officer, and sundry citizens to be second lieutenants in the Marine Corps.

By Mr. WILEY, from the Committee on the Judiciary:

Charles H. Cashin, of Wisconsin, to be United States attorney for the western district of Wisconsin, vice John J. Boyle, deceased.

By Mr. BAILEY, from the Committee on Commerce:

Harlee Branch, of Georgia, to be a member of the Civil Aeronautics Board for the term of

6 years from January 1, 1945 (reappointment); and

Sundry officers for appointment and/or promotion for temporary service in the Coast Guard.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED STATES MARITIME COMMISSION—NOMINATION PASSED OVER

The legislative clerk read the nomination of Edward Macauley, of California, to be a member, United States Maritime Commission, for the term of 6 years from September 26, 1944.

Mr. BAILEY. Mr. President, in view of the fact that the Committee on Commerce reported this nomination on September 20, 1944, I think I should say to the Senate that consideration of the nomination has been delayed at the instance of the senior Senator from Nevada [Mr. MCCARRAN], who is absent and who informs me that he is not likely to appear here prior to the first of December. The committee has approved the nomination. I do not think any charges are pending in the committee against this nominee. There never have been charges made against him. Whether the Senate will proceed to consider the nomination or not is a question for the Senate to decide. The facts are that Captain Macauley's term expired just about the time Congress adjourned prior to the election. So he has been deprived of his salary from then until now and will be deprived of it until we confirm the nomination. Moreover, the Maritime Commission is deprived of his services.

I submit the matter to the Senate. I do not know whether the Senate wishes to await the return of the senior Senator from Nevada. If it does, I have no objection. But I believe that Captain Macauley is entitled to some consideration. Acting on his nomination has been delayed from September 20 until now; that is, for 2 months the matter has been hanging fire here.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the United States Public Health Service will be confirmed en bloc.

That completes the Executive Calendar.

AUTHORIZATION TO RECEIVE AND REFER NOMINATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that any nomination that may be sent to the Senate by the President today may be received by the Secretary of the Senate and be appropriately referred.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. REVERCOMB. Mr. President, does the request include appropriate reference of the nominations to committees?

Mr. BARKLEY. Yes.

The ACTING PRESIDENT pro tempore. Without objection, the request will be granted.

(Subsequently, sundry nominations to the Office of War Mobilization and Reconversion and the Surplus Property Board were received and, under the above order, appropriately referred.)

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 22, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 21, 1944:

THE JUDICIARY

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Henry A. Schweinhaut, of Maryland, to be an associate justice of the District Court of the United States for the District of Columbia, vice Hon. Oscar R. Lohr, deceased.

UNITED STATES ATTORNEYS

Gerald A. Gleeson, of Pennsylvania, to be United States attorney for the eastern district of Pennsylvania. (Mr. Gleeson is now serving in this office under an appointment which expired October 8, 1944.)

Steve M. King, of Texas, to be United States attorney for the eastern district of Texas. (Mr. King is now serving in this office under an appointment which expired July 30, 1944.)

UNITED STATES MARSHAL

Jordan B. Royall, of Florida, to be United States marshal for the northern district of Florida. (Mr. Royall is now serving in this office under an appointment which expired June 19, 1944.)

SURPLUS PROPERTY BOARD

The following-named persons to be members of the Surplus Property Board:

Robert A. Hurley, of Connecticut.
Lt. Col. Edward Heller, of California.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

The following-named persons to be members of the Advisory Board, Office of War Mobilization and Reconversion:

PUBLIC MEMBERS

O. Max Gardner, of North Carolina.
William H. Davis, of New York.
Anna M. Rosenberg, of New York.

LABOR MEMBERS

William Green, of Ohio.
Phillip Murray, of Pennsylvania.
T. C. Cashen, of New York.

AGRICULTURE MEMBERS

Edward A. O'Neal, of Alabama.
James G. Patton, of Colorado.
Albert S. Goss, of Washington.

INDUSTRY MEMBERS

Eric A. Johnston, of Washington.
George H. Mead, of Ohio.
Nathaniel Dyke, Jr., of Arkansas.

REGISTER OF LAND OFFICE

Richard McElligott, of Oregon, to be register of the land office at Roseburg, Oreg.,

75.
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DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 23, 1944, for actions of Wednesday, November 22, 1944)

(For staff of the Department only)

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HOUSE

- 1 CROP INSURANCE. Passed, 254-16, with amendments H.R. 4911, to amend the Federal Crop Insurance Act (pp. 8458-64).
Agreed to amendments by: Rep. Lemke, N. Dak., to provide insurance for losses due to fire, excessive rain, snow, and wildlife, and to strike out the authority to determine "such other unavoidable causes" (p. 8458).
Rep. Andresen, Minn., providing that after the crop year 1945, not more than a sum equivalent to 25 percent of the premiums collected in the preceding year (beginning calculation of premiums collected in the crop year 1945) shall be used for administrative expenses in any current year (pp. 8458-9).
Rep. Andresen, Minn., to provide for insurance for oats, barley, and rye (p. 8460).
Agreed to Rep. Flannagan's (Va.) request "that all amendments to subsection 2, of section 1, adding commodities, be consolidated and appear in the bill after the word 'hay'" in Sec. 1(2) and in Sec. 5 (p. 8460).
Rejected Rep. Smith's (Ohio) amendment to strike out the words "but for the first three crop years with respect to which insurance has been in effect on any crop after the enactment of this Act the payment shall not be reduced by more than 15 per centum of the amount of the approved claim." In support of his amendment Rep. Smith stated, "My amendment simply strikes out that provision which provides for taking care of these losses by the Federal Treasury." (p. 8459-60.)
Rep. Flannagan, Va., inserted a statement, "Essential Provision of H.R. 4911" (pp. 8462-4).
- 2 ROAD AUTHORIZATIONS. Agreed to the resolution providing for the consideration of H.R. 4915, the road-authorizations bill (pp. 8464-9).
The bill authorizes annual appropriations, for the first 3 post-war years, as follows:
Federal-aid highways, \$225,000,000
Secondary and feeder roads (including farm-to-market roads), \$125,000,000
Urban highways, \$150,000,000
Forest highways, \$25,000,000 (including \$1,500,000 for Alaska)
Forest development roads and trails, \$12,500,000
National Park Service roads, trails, and parkways, \$9,250,000

3. APPROPRIATIONS. Received (Nov. 14) : supplemental appropriation estimates for Federal Property Utilization, Procurement Division, for expenses incidental to disposition of surplus property under the Surplus Property Act of 1944, \$11,430,000, (H. Doc. 730); War Public Works (community facilities), \$15,000,000 (H. Doc. 735); War Department, Civil Functions, Flood Control, \$7,230,000 (H. Doc. 745). To Appropriations Committee.
 4. BUILDINGS; COMMUNICATIONS. Received (Nov. 14) from the President a proposed provision that "other services", in the Public Buildings Administration appropriation language, shall be deemed to include teletype service and telephone switchboards or equivalent equipment serving one or more governmental activities in buildings in or near D. C. operated by PBA where such service is economical and in the interest of the Government; and that the appropriation shall also be available for the furnishing of quarters, maintenance, and teletype or other services on a reimbursable basis to any governmental activity and for expenses incident to moving any governmental activity in connection with the assignment, allocation, or transfer of building space. To Appropriations Committee. (H. Doc. 742.)
 5. LATIN AMERICA. Received (Nov. 14) from the President a proposal to consolidate the 1944 and 1945 State Department appropriations for cooperation with the American republics. To Appropriations Committee. (H. Doc. 760.)
 6. ADJOURNED until Friday, Nov. 24 (p. 8469).
- SENATE
7. FLOOD CONTROL. Continued debate on H. R. 4485, the Whittington flood-control bill (pp. 8431-55). Agreed to Sen. Barkley's (Ky.) amendment to the committee amendment, to establish a policy of using existing Federal agencies for flood control projects, so as to limit the declaration of policy to the projects carried in this bill (pp. 8432). The committee amendment providing for the disposition of surplus electric energy by the Secretary of the Interior as modified by Sen. Bailey's (N. C.) amendment so as to provide for the complete coordination of such power with other power developments within a given area was carried over until Fri., Nov. 24 (pp. 8432-55).

Agreed to Sen. Barkley's request to permit any Senator to speak only once on the Bailey amendment and limiting to 15 minutes the time which he may speak on the amendment (p. 8454).
 8. COMMITTEE ASSIGNMENTS. Committee Chairmen were selected as follows (p. 8427):
Agriculture and Forestry, Sen. Thomas, Okla.
Patents, Sen. Pepper, Fla.
Indian Affairs, Sen. O'Mahoney, Wyo.
 9. SOCIAL-SECURITY TAXES. Sen. Vandenberg, Mich., spoke in favor of continuing the present social-security tax rate (pp. 8428-9).
 10. NOMINATION. Confirmed the nomination of Brig. Gen. Frank T. Hines to be Retraining and Reemployment Administrator (p. 8455).
 11. ADJOURNED until Fri., Nov. 24 (p. 8455).

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. MURRAY (for himself and Mr. LANGER) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 20, line 4, strike out all through page 24, line 7; and on page 47, after line 2, add the following:

1 TITLE II

2 SEC. 201. In order to provide for the control and pre-
3 vention of floods in the Missouri Valley region and the
4 reclamation of public lands, to safeguard the navigable waters,
5 to promote navigation, and to encourage the fuller develop-
6 ment and utilization of the resources of the region, all for the
7 purpose of fostering and protecting the commerce among the

1 several States, strengthening the national defense, conserving
2 the water, soil, and forest resources of the Nation, and promot-
3 ing the general welfare of the United States, it is hereby
4 declared to be the policy of the United States—

5 (a) that the Federal Government shall establish
6 and maintain a broad program of unified water control
7 and resource development for the Missouri Valley re-
8 gion, consisting of the entire Missouri River, its tribu-
9 taries and watershed, and such adjoining territory as
10 may be related to or materially affected by the develop-
11 ment consequent to this title;

12 (b) that the administration of such a multipurpose
13 program shall be entrusted to a Federal regional agency
14 having its principal headquarters in the region, which
15 shall be directly responsible to the President and Con-
16 gress, with full authority and responsibility for carrying
17 out the program herein authorized;

18 (c) that such a regional agency shall utilize to the
19 fullest possible extent the advice, assistance, and coop-
20 eration of the people of the region, and their public and
21 private organizations—local, State, and Federal.

22 SEC. 202. (a) To carry out the purposes and policy of
23 this title, there is hereby created a body corporate which
24 shall be known as the “Missouri Valley Authority” (herein-

1 after referred to as the "Corporation") and which shall be
2 an instrumentality of the United States.

3 (b) The Corporation shall maintain its principal office
4 at a convenient place in the territory in which its activities
5 are conducted. Upon selecting the location of its principal
6 office, and in the event it later makes a change in such loca-
7 tion, the Corporation shall file with the Secretary of State
8 public notice of such selection or change.

9 SEC. 203. (a) The Corporation shall be directed and
10 controlled by a board of three directors, who shall be ap-
11 pointed by the President, by and with the advice and consent
12 of the Senate. In appointing the members of the board, the
13 President shall designate the chairman. All other officials,
14 agents, and employees shall be designated and selected by the
15 Corporation. All matters of policy shall be considered and
16 determined by the board of directors acting as a board.
17 Each member of the board, before entering upon the duties
18 of his office, shall subscribe to an oath (or affirmation) to
19 support the Constitution of the United States and to perform
20 faithfully and impartially the duties imposed upon him by
21 this Act.

22 (b) The terms of office of the members first taking
23 office after the approval of this Act shall expire as desig-
24 nated by the President at the time of nomination, one at the

1 end of the third year, one at the end of the sixth year, and
2 one at the end of the ninth year after the date of approval
3 of this Act. A successor to a member of the board shall
4 be appointed in the same manner as the original members
5 and shall have a term of office expiring nine years from
6 the date of the expiration of the term for which his prede-
7 cessor was appointed.

8 (c) Any member appointed to fill a vacancy in the
9 board occurring prior to the expiration of the term for
10 which his predecessor was appointed shall be appointed for
11 the remainder of such term.

12 (d) Vacancies in the board, so long as there shall be
13 two members in office, shall not impair the powers of the
14 board to execute the functions of the Corporation, and two
15 of the members in office shall constitute a quorum for the
16 transaction of the business of the board.

17 (e) Each of the members of the board shall be a citi-
18 zen of the United States and shall receive a salary at the
19 rate of \$12,500 a year, to be paid by the Corporation as
20 current expenses. Members of the board shall be reim-
21 bursed by the Corporation for actual expenses (including
22 traveling and subsistence expenses) incurred by them in
23 the performance of the duties vested in the board by this
24 title. No member of said board shall, during his continu-

1 ance in office, be engaged in any other business, but each
2 member shall devote himself to the work of the Corporation.

3 (f) No director shall, during his continuance in office,
4 have a financial interest in any public-utility company en-
5 gaged in the business of generating, transmitting, distributing,
6 or selling power to the public; nor in any holding company
7 or subsidiary company of a holding company as those terms
8 are defined in the Public Utility Holding Company Act of
9 1935; nor in any business that may be adversely affected
10 by the success of the Corporation.

11 SEC. 204. (a) The board shall, without regard to the
12 provisions of civil-service laws applicable to officers and em-
13 ployees of the United States, employ such managers, assistant
14 managers, officers, employees, attorneys, agents, and con-
15 sultants as are necessary for the transaction of its business,
16 fix their compensation, define their duties, require bonds of
17 such of them as the board may designate, and provide a
18 system of organization to fix responsibility and promote
19 efficiency. Any employee of the board may be removed in
20 the discretion of the board. No regular officer or employee
21 of the Corporation shall receive a salary in excess of that
22 received by the members of the board. Subject to the pro-
23 visions of this title and of other laws of the United States,
24 the Corporation shall deal collectively with its employees

1 through representatives of their own choosing and is author-
2 ized to enter into written or oral contracts with such em-
3 ployee representatives.

4 (b) In the employment, selection, classification, and
5 promotion of officers and employees of the Corporation, no
6 political test or qualification shall be permitted or given con-
7 sideration, but all such employments and promotions shall
8 be given and made on the basis of merit and efficiency.
9 Any employee of the board who is found by the board to
10 be guilty of a violation of this subsection shall be removed
11 from office by the board. It shall be unlawful for a member
12 of the board to make or assist in the making of or cause
13 to be made any employment, selection, classification, or pro-
14 motion of any officer or employee of the Corporation on the
15 basis of or because of any political qualification or test, and
16 any member of the board who violates this provision shall
17 be guilty of an offense against the United States and, upon
18 conviction thereof, shall be fined not more than \$5,000 or
19 imprisoned not more than one year, or both.

20 (c) The benefits of the Act entitled "An Act to pro-
21 vide compensation for employees of the United States suf-
22 fering injuries while in the performance of their duties, and
23 for other purposes", approved September 7, 1916, as
24 amended, shall extend to persons given employment under
25 the provisions of this title; and the remedies afforded by

1 such Act of September 7, 1916, as amended, shall be ex-
2 clusive and in lieu of any other remedy.

3 (d) All contracts to which the Corporation is a party
4 and which require the employment of laborers and mechanics
5 in the construction, alteration, maintenance, or repair of
6 buildings, dams, locks, or other structures of facilities shall
7 contain a provision that not less than the prevailing rate of
8 wages for work of a similar nature in the vicinity shall be
9 paid to such laborers or mechanics. In the event any
10 dispute arises as to what are the prevailing rates of wages,
11 the question shall be referred to the Secretary of Labor for
12 determination, and his decision shall be final. In the deter-
13 mination of such prevailing rate or rates, due regard shall
14 be given to those rates which have been secured through
15 collective agreement by representatives of employers and
16 employees. Where such work as is described in this sub-
17 section is done directly by the Corporation, the prevailing
18 rate of wages shall be paid in the same manner as though
19 such work had been let by contract.

20 (h) The Corporation is authorized to request the assist-
21 ance and advice of any officer, agent, or employee of any
22 executive department, any independent office or agency of
23 the United States, to enable the Corporation the better to
24 carry out its powers successfully, and as far as practicable
25 shall utilize the services of such officers, agents, and em-

1 ployees, and the President shall, if in his opinion the public
2 interest, service, or economy so require, direct that such
3 assistance, advice, and service be rendered to the Corpora-
4 tion, and any individual that may be by the President di-
5 rected to render such assistance, advice, and service shall
6 be thereafter subject to the orders, rules, and regulations of
7 the board.

8 SEC. 205. Subject to the provisions of this title, the Cor-
9 poration—

10 (a) shall have succession in its corporate name;

11 (b) may adopt and use a corporate seal, which shall
12 be judicially noticed;

13 (c) shall have power to enter into such contracts
14 and agreements, and to exercise such powers and do
15 such things as may be necessary or appropriate to carry
16 out the powers now or hereafter conferred upon it by
17 law;

18 (d) may sue and be sued in its corporate name and
19 may settle and adjust claims held by it against other
20 parties or persons and by other parties and persons
21 against it;

22 (e) shall be held to be an inhabitant and resident,
23 within the meaning of the laws of the United States
24 relating to the venue of civil suits, of the judicial district
25 in which its principal office is located at the time of the

1 commencement of suit. The district courts of the United
2 States shall have original jurisdiction without regard to
3 the amount in controversy, over any proceeding brought
4 by or against the Corporation. Any proceeding brought
5 against the Corporation in a court of any State may be
6 removed by the Corporation to the district court of the
7 United States for the district in which the proceeding
8 is pending, and, to effect such removal, it shall not be
9 necessary that any other party or parties defendant join
10 in the petition for removal. Except as otherwise pro-
11 vided herein, the procedure for removal shall be accord-
12 ing to the applicable laws of the United States relating
13 to removal;

14 (f) notwithstanding any other provision of law, the
15 district court of the United States for the district in which
16 the Corporation's principal office is located when suit is
17 commenced shall have exclusive original jurisdiction of
18 all proceedings against the Corporation or against any
19 director, officer, employee, or agent thereof, in which
20 is drawn in question the validity of this title or of any
21 other law of the United States, or the validity of any act
22 or conduct of the Corporation or of such director, officer,
23 employee, or agent done pursuant to or under color of
24 this title or any other such law.

1 SEC. 206. (a) The net proceeds for each fiscal year de-
2 rived by the board from the sale of power, water, and any
3 products manufactured by the Corporation, and from any
4 other activities of the Corporation, including the disposition
5 of any real or personal property, after deducting the cost of
6 operation, maintenance depreciation, interest on bonds, amor-
7 tization, and an amount deemed by the board as necessary
8 to withhold as operating capital or devoted by the board
9 to new construction, shall be paid into the Treasury of the
10 United States at the end of each calendar year.

11 (b) All funds required by the Corporation in addition
12 to those derived and expended pursuant to subsection (a)
13 hereof shall be provided by appropriations in accordance
14 with the procedures of the Budget and Accounting Act of
15 June 10, 1921 (42 Stat. 20), except as otherwise provided
16 herein. All appropriations necessary to carry out this title
17 are hereby authorized.

18 (c) The Corporation shall at all times maintain com-
19 plete and accurate books of account. In December of each
20 year the board shall file with the President and the Congress
21 a financial statement and a complete report as to the busi-
22 ness of the Corporation covering the preceding governmental
23 fiscal year.

24 (d) Subject to the provisions of this section, the Cor-
25 poration shall determine and prescribe the manner in which

1 its obligations and expenses shall be incurred, allowed, paid,
2 and audited: *Provided*, That in addition to such other audits
3 as the Corporation may deem necessary or desirable, if any,
4 the Comptroller General of the United States shall audit the
5 transactions of the Corporation at such times as he shall
6 determine, but not less frequently than once each govern-
7 mental fiscal year, with personnel of his selection. In such
8 connection he and his representatives shall have free and
9 open access to all papers, books, records, files, accounts,
10 plants, warehouses, offices, and all other things, property,
11 and places belonging to or under the control of or used or
12 employed by the Corporation, and shall be afforded full
13 facilities for counting all cash and verifying transactions with
14 and balances in depositaries. He shall make report of each
15 such audit in quadruplicate, one copy for the President of
16 the United States, one for the chairman of the board, one for
17 public inspection at the principal office of the Corporation,
18 and the other to be retained by him for the uses of the Con-
19 gress: *Provided*, That such report shall not be made until
20 the Corporation shall have had reasonable opportunity to
21 examine the exceptions and criticisms of the Comptroller
22 General or the General Accounting Office, to point out errors
23 therein, explain or answer the same, and to file a statement
24 which shall be submitted by the Comptroller General with
25 his report. The expenses for each such audit shall be paid

1 from any appropriation or appropriations for the General
2 Accounting Office, and such part of such expenses as may
3 be allocated to the cost of generating, transmitting, and dis-
4 tributing electric energy shall be reimbursed promptly by
5 the Corporation as billed by the Comptroller General. The
6 Comptroller General shall make special report to the Presi-
7 dent of the United States and to the Congress of any transac-
8 tion or condition found by him to be in conflict with the
9 powers or duties entrusted to the Corporation by law.

10 (e) Nothing in this Act shall be construed to relieve
11 the treasurer or other accountable officers or employees of
12 the Corporation from compliance with the provisions of
13 existing law requiring the rendition of accounts for adjust-
14 ment and settlement pursuant to section 236, Revised Stat-
15 utes, as amended by section 305 of the Budget and Account-
16 ing Act, 1921 (42 Stat. 24), and accounts for all receipts
17 and disbursements by or for the Corporation shall be ren-
18 dered accordingly: *Provided*, That subject only to the pro-
19 visions of this title, the Corporation is authorized to make
20 such expenditures and to enter into such contracts, agree-
21 ments, and arrangements, upon such terms and conditions,
22 and in such manner as it may deem necessary, including
23 the final settlement of all claims and litigation by or against
24 the Corporation; and, notwithstanding the provisions of
25 any other law governing the expenditure of public

1 funds, the General Accounting Office, in the settlement of
2 the accounts of the treasurer or other accountable officer or
3 employee of the Corporation, shall not disallow credit for,
4 nor withhold funds because of, any expenditure which the
5 board shall determine to have been necessary to carry out
6 the provisions of this title.

7 (f) The Corporation shall determine its own system
8 of administrative accounts and the forms and contents of its
9 contracts and other business documents except as otherwise
10 provided in this title.

11 SEC. 207. The Corporation is hereby authorized—

12 (a) to acquire, by purchase, lease, condemnation,
13 or donation such real and personal property and any in-
14 terest therein, and may sell, lease, or otherwise dispose
15 of any real and personal property and any interest
16 therein, as in its judgment may be necessary or appro-
17 priate in carrying out the purposes of the Corporation
18 under this title or any other law of the United States:
19 *Provided, however,* That the Corporation shall not dis-
20 pose of any real property on which is located a perma-
21 nent dam, hydraulic power plant, or munitions plant
22 heretofore or hereafter constructed by or on behalf of the
23 United States or the Corporation: *Provided further,*
24 That the provisions of section 355, Revised Statutes (40

1 U. S. C. 255), as amended, shall be inapplicable as
2 respects acquisitions by the Corporation;

3 (b) to acquire real estate for the construction of
4 dams, reservoirs, transmission lines, powerhouses, power
5 structures, irrigation canals, diversion facilities, ditches,
6 laterals, conduits, and pipe lines, levees, floodways, struc-
7 tures, and facilities useful for flood control, navigation,
8 reclamation, irrigation, and sites for defense projects, to-
9 gether with appurtenant facilities, at any point along the
10 Missouri River, its tributaries, and watershed; and in the
11 event that the owner or owners of such property shall
12 fail and refuse to sell to the Corporation at a price deemed
13 fair and reasonable by the board, then the Corporation
14 shall have power in the name of the United States to
15 exercise the power of eminent domain; and title to all
16 real property or interest therein, whether acquired by
17 condemnation or otherwise, shall be taken in the name of
18 the United States of America, and thereupon such real
19 property shall, for the purposes of this title, be entrusted
20 to the Corporation as agent of the United States. All
21 condemnation proceedings shall be had pursuant to the
22 provisions and requirements hereinafter specified: *Pro-*
23 *vided*, That nothing contained herein or elsewhere in this
24 Act shall be construed to deprive the Corporation of the

1 rights conferred by the Act of February 26, 1931 (46
2 Stat. 1422, secs. 1-5) ;

3 (c) to purchase and acquire such materials and
4 other personal property as may be required to carry
5 out the purposes and policy of this title. All purchases
6 and contracts for supplies or services, except for per-
7 sonal services, made by the Corporation shall be made
8 after advertising, in such manner and at such times
9 sufficiently in advance of opening bids, as the board
10 shall determine to be adequate to insure notice and op-
11 portunity for competition: *Provided, however,* That
12 advertisement shall not be required when (1) the board
13 determines that an emergency requires immediate de-
14 livery of the supplies or performance of the services;
15 or (2) repair parts, accessories, supplemental equip-
16 ment, or services are required for supplies or services
17 previously furnished or contracted for; or (3) the
18 aggregate amount involved in any purchase of supplies
19 or procurement of services does not exceed \$500; in
20 which cases such purchases of supplies or procurement
21 of services may be made in the open market in the
22 manner common among businessmen: *Provided further,*
23 That in comparing bids and in making awards the board
24 may consider such factors as relative quality and adapt-

1 ability of supplies or services, the bidder's financial re-
2 sponsibility, skill, experience, record of integrity in deal-
3 ing, ability to furnish repairs and maintenance services,
4 the time of delivery or performance offered, and whether
5 the bidder has complied with the specifications.

6 SEC. 208. (a) The Corporation is hereby authorized
7 and directed to formulate and report to the President and Con-
8 gress with the utmost expedition, and in any event not later
9 than two years from the enactment of this Act, its recom-
10 mendations for the unified development of the Missouri Valley
11 region in accordance with the purposes and policy of this
12 title. Such recommendations shall include a complete plan
13 for the unified control and utilization of the waters of the
14 Missouri River system, which will reconcile and harmonize
15 the requirements for flood control, navigation, reclamation
16 power, and other needs in such a way as to secure the maxi-
17 mum public benefit for the region and Nation. Particular
18 consideration in such a plan and recommendations shall be
19 given to projects and activities which shall serve the follow-
20 ing purposes:

21 (1) The control and prevention of floods which impair
22 and disrupt navigation, the facilities of interstate commerce,
23 the properties and functions of the United States, and agri-
24 cultural and industrial properties and production, by, among
25 other means, the storage, control, and disposition of flood

1 and surplus waters, and the control and retardation of water
2 run-off and the restoration and improvement of the absorption
3 and infiltration capacity of the soil. Projects for such pur-
4 poses shall include, but not by way of limitation, dams, reser-
5 voirs, levees, spillways, and floodways; improved methods
6 and conditions of soil conservation, utilization, fertilization.
7 and cultivation; and the conservation of forests and afforesta-
8 tion and reforestation of lands.

9 (2) The promotion of navigation by, among other
10 means, the improvement of the channels of navigable rivers
11 and their tributaries; the prevention of siltation of such
12 waters; the regulation of stream flow; and the development
13 and coordination of navigation facilities.

14 (3) The reclamation of arid or swampy public lands
15 by, among other means, the irrigation and drainage and the
16 economic development and use of such lands.

17 (4) The safeguarding of navigable waters and their
18 use by, among other means, the prevention and abatement
19 of pollution of navigable streams and their tributaries, and
20 the provision of sewage-disposal and water-purification works
21 and structure and facilities in connection therewith.

22 (5) So far as may be consistent with or necessary or
23 appropriate for the control and prevention of floods, the
24 promotion of navigation, the safeguarding of navigable

1 waters, and the reclamation of the public lands, as pro-
2 vided in subsection (a), plans shall give due regard to the
3 following, among other considerations: (1) The present
4 and future development and conservation of water for power,
5 irrigation, and other beneficial uses; (2) the prudent hus-
6 bandry of soil, mineral, and forest resources and their con-
7 servation for recreation, the protection of wild game, and
8 other beneficial uses; (3) the preventing of irreparable waste
9 of the Nation's resources from droughts, winds, dust storms,
10 and soil erosion; (4) the integration and interconnection of
11 projects and activities, the development of their multiple
12 purposes, and the equitable distribution of the benefits
13 thereof; (5) equitable contributions to cost by States and
14 subdivisions and agencies thereof specially benefited by the
15 projects and activities; and (6) such economic, social, and
16 cultural values as may be affected or furthered by the projects
17 and activities.

18 (b) The plan and recommendation authorized in sub-
19 section (a) hereof shall be in sufficient detail to provide
20 the President, the Congress, and the people and institutions
21 of the region with reasonably specific information as to—

22 (1) the water control and utilization policy and
23 program which should be established and maintained;

24 (2) the nature, scope, and general location of the

1 projects and activities recommended, and the estimated
2 cost and benefits thereof;

3 (3) the order of preference and priority which
4 should be followed in the construction and carrying out
5 of such projects and activities in the light of the war or
6 post-war conditions existing and anticipated at the time
7 of the report.

8 (c) In formulating such plan and recommendations, the
9 Corporation shall give due consideration to existing surveys
10 and plans relating to water control and resource development
11 for various purposes, shall conduct such additional surveys
12 and investigations as it deems necessary or proper, and shall
13 enlist the advice and assistance of appropriate local, State,
14 and Federal governmental agencies, educational institutions,
15 and private organizations.

16 (d) The plan and recommendations formulated by the
17 Corporation and submitted to the President and Congress as
18 provided in subsection (a) hereof, shall lay before the Con-
19 gress for its consideration for a period of not to exceed four
20 legislative months. If not affirmatively disapproved by the
21 Congress by joint resolution within such period, said plan
22 and recommendations shall be deemed to be effective as of
23 that date, and the provisions thereof shall be carried out in
24 accordance with their terms, subject to the provisions of this
25 title.

1 SEC. 209. (a) The Corporation is authorized, whenever
2 in its judgment the purposes and policy of this title and the
3 interests of economy and efficiency will be served thereby,
4 to obtain the transfer to the Corporation of the use, posses-
5 sion, control, and operation of any dam and other water-
6 control projects, together with appurtenant works and trans-
7 mission facilities, constructed, under construction, or here-
8 after constructed by or in behalf of the United States or
9 any of its instrumentalities in the Missouri Valley region,
10 and of such other real and personal property of the United
11 States and its instrumentalities as the Corporation may from
12 time to time deem necessary and proper for the purposes
13 of the Corporation as herein stated. The heads of the
14 various departments and agencies having jurisdiction over
15 such projects, facilities, and other properties as above de-
16 fined are hereby directed, upon the formal request of the
17 Corporation, and notwithstanding the restrictions or limi-
18 tations of any other laws or regulations, to transfer to the
19 Corporation the use, possession, control, and operation of
20 all or any of such projects, facilities, and other properties
21 under their jurisdiction, including projects under construction.
22 The heads of such departments and agencies, as above de-
23 fined, and the President, are respectively authorized to
24 transfer to the Corporation the use, possession, control, and
25 operation of such projects, facilities, and other properties

1 hereafter constructed by or on behalf of the United States
2 and its instrumentalities whenever in either of their respec-
3 tive judgments the purposes and policy of this title and the
4 interests of economy and efficiency will be served thereby.
5 In connection with any such transfer, the President shall
6 make such provision as he deems necessary or appropriate
7 for the transfer to the Corporation of unexpended balances
8 of appropriations available for use in respect of such dam and
9 other water-control projects, appurtenant works, transmission
10 facilities, and of such other property, together with personnel,
11 equipment, and any powers, duties, and obligations pertain-
12 ing thereto.

13 (b) The Corporation is hereby authorized and directed
14 to construct, operate, and carry out such projects and activi-
15 ties on the Missouri River, its tributaries, and the surrounding
16 region as will best serve to control and prevent floods, to
17 safeguard the navigable waters, and to promote navigation
18 and the reclamation of the public lands. In order to effectu-
19 ate such primary purposes with the greatest public benefit
20 and, so far as is consistent with such primary purposes, to
21 avoid the waste of water, water power, and other property
22 of the United States, the Corporation shall have such powers
23 as may be necessary or appropriate to construct, operate,
24 and carry out such projects or activities so as to accomplish

1 with States or subdivisions or agencies thereof, including local
2 levee and drainage districts, or other public or cooperative
3 agencies. The departments and agencies of the United
4 States are hereby authorized to participate in the construction
5 or operation of such projects or the conduct of such activities
6 on terms mutually agreeable to such department or agency
7 and the Corporation.

8 (f) All the projects and activities authorized pursuant
9 to this section shall be constructed, operated, and carried out
10 in accordance with the purposes and policy of this title, and
11 from the effective date of the adoption by Congress of the
12 report specified in section 8 hereof, in accordance with the
13 more precise plan and recommendations formulated therein.

14 SEC. 210. (a) The board is hereby authorized to sell
15 surplus power generated and water stored by it, not used
16 in its operations or for operation of locks and other works
17 or in the case of reclamation projects for reclamation of
18 public lands, to States, counties, municipalities, corporations,
19 partnerships, and individuals, according to the policies here-
20 inafter set forth.

21 (b) To encourage the widest possible use of available
22 electric energy and water, to provide adequate markets and
23 outlets therefor, and to prevent the monopolization thereof
24 by limited groups or localities, the Corporation shall acquire,
25 construct, operate, maintain, and improve such canals, con-

1 duits, pipe lines, electric-transmission lines, rural-electric
2 lines, substations, and other structures and facilities as it
3 deems necessary or appropriate to bring electric energy, or
4 water, available for sale, from its projects to existing and
5 potential markets, and, in the case of electric energy, to
6 interconnect such project with other public or private projects
7 for the disposition or interchange of electric energy. To pro-
8 vide for emergencies, break-down relief, and increased safety
9 and economy in operations, the Corporation may enter into
10 contracts upon suitable terms with public and private power
11 systems for mutual interchange of electric energy and for
12 reciprocal use of transmission facilities.

13 (c) To insure the disposition of the electric energy de-
14 veloped and water stored at a project for the benefit of the
15 general public, and particularly of domestic and rural con-
16 sumers, the Corporation shall, in disposing of electric energy
17 and water, give preference and priority to States, districts,
18 counties, and municipalities, including agencies or instru-
19 mentalities thereof or of two or more States (in this title
20 called public agencies), and to cooperative and other organ-
21 izations not organized or administered for profit but primarily
22 for the purpose of supplying electric energy or water to
23 their members as nearly as possible at cost (in this title
24 called cooperative agencies). In the event of competing
25 applications by public or cooperative agencies (whether or

1 not formally organized) on the one hand, and other persons
2 or agencies on the other hand, the Corporation, in order to
3 preserve and protect the preferential rights and priorities
4 of such public and cooperative agencies, shall allow to people
5 and communities, when within such distance from such
6 project as to render practicable the transmission of power
7 or transportation of water therefrom, reasonable opportunity
8 and time to acquire, purchase, or construct the necessary
9 facilities for the use or distribution of such electric energy
10 to water, including reasonable opportunity and time to create
11 and finance such public or cooperative agencies under the
12 laws of the several States.

13 (d) Subject to the provisions of this title, the Corpora-
14 tion may enter into contracts for the sale at wholesale of
15 electric energy and water, whether for resale or direct con-
16 sumption, to public and cooperative agencies and to private
17 agencies and persons; and may sell electric energy directly
18 to farms and in rural communities which the Corporation
19 finds are not adequately serviced with electric energy at
20 reasonable rates. Contracts entered into under this subsec-
21 tion shall be binding in accordance with the terms thereof and
22 shall be effective for such period or periods, including renew-
23 als or extensions, as may be provided therein, not exceeding
24 in the aggregate twenty years from the respective dates of
25 the making of such contracts. Such contracts shall contain

1 appropriate provisions, to be agreed upon between the Cor-
2 poration and the purchaser, for the equitable adjustment of
3 rates at appropriate intervals. In the case of contracts with
4 private agencies or persons who resell the bulk of the electric
5 energy or water purchased, the contracts shall contain appro-
6 priate provisions authorizing the Corporation to cancel the
7 contract, in whole or in part, upon five years' notice in writ-
8 ing whenever in its judgment there is reasonable likelihood
9 that part of the electric energy or water purchased under such
10 contract will be needed to satisfy the preferential rights and
11 priorities of public or cooperative agencies under this Act.

12 (e) Any contract for the sale of power or water may
13 include such terms and conditions, including resale rate sched-
14 ules, and provide for such rules and regulations as in the
15 judgment of the board may be necessary or desirable for
16 carrying out the purposes of this Act, and in case the pur-
17 chaser shall fail to comply with any such terms and condi-
18 tions, or violate any such rules and regulations, said contract
19 may provide that it shall be voidable at the election of the
20 board.

21 (f) In order to supply farms and small villages with
22 electric power directly as contemplated by this section, the
23 board in its discretion shall have power to acquire existing
24 electric facilities used in serving such farms and small villages.

25 (g) The terms "States", "counties", and "municipali-

1 ties" as used in this title shall be construed to include the
2 public agencies of any of them unless the context requires
3 a different construction.

4 (h) Rate schedules for the sale of electric energy and
5 water by the Corporation shall be prepared from time to
6 time by the Corporation. Subject to the provisions of sec-
7 tion 212, the Corporation shall fix such rate schedules as it
8 finds necessary or appropriate to provide adequate markets
9 and outlets for electric energy and water and to encourage
10 the widest possible use of electric energy and water, having
11 regard (upon the basis of the application of such rate sched-
12 ules to the capacity of the contemplated electric or water
13 facilities of the Corporation or of a project of the Corpora-
14 tion) to the recovery of the cost of generating and trans-
15 mitting such electric energy or storing and transporting
16 such water, including appropriate reserves for maintenance
17 and upkeep, and the amortization of the capital investment
18 over a reasonable period of years. In order to distribute
19 the benefits of integrated transmission system and to promote
20 the equitable distribution of electric energy, rate schedules
21 shall provide for uniform rates, or rates uniform throughout
22 prescribed transmission areas.

23 SEC. 211. In order (1) to facilitate the disposition of
24 the surplus power of the Corporation according to the policies
25 set forth in this title; (2) to give effect to the priority herein

1 accorded to States, counties, municipalities, and nonprofit
2 organizations in the purchase of such power by enabling
3 them to acquire facilities for the distribution of such power;
4 and (3) at the same time to preserve existing distribution
5 facilities as going concerns and avoid duplication of such
6 facilities, the board is authorized to advise and cooperate
7 with States, counties, municipalities, and nonprofit organiza-
8 tions situated within transmission distance from any dam
9 where such power is generated by the Corporation and to
10 extend credit to such agencies and organizations and to
11 assist them in acquiring, improving, and operating (a)
12 existing distribution facilities and incidental works, includ-
13 ing generating plants; and (b) interconnecting transmission
14 lines, or in acquiring any interest in such facilities, incidental
15 works, and lines. In order to facilitate the disposition of
16 surplus water in accordance with the provisions of this title,
17 the board is also authorized to advise and cooperate with
18 States, counties, municipalities, and nonprofit organizations
19 within distance permitting practicable purchase and utiliza-
20 tion of water stored and available for sale at any work or
21 facility of the Corporation and to extend credit to such
22 agencies and organizations and to assist them in acquiring,
23 improving, and operating existing canals, conduits, laterals,
24 pipe lines, ditches, and incidental works and facilities, or in
25 acquiring any interests therein.

1 SEC. 212. (a) The board shall make a thorough in-
2 vestigation of the cost or value of each dam, steam plant,
3 or other similar improvement hereafter constructed by or
4 turned over to the Corporation for its management and con-
5 trol for the purpose of allocating such cost or value among
6 the various purposes served by the improvement—such as
7 navigation, flood control, irrigation, power development, or
8 other types of development, as the case may be. Costs of
9 facilities having a value only for one purpose shall be al-
10 located to that purpose; costs of facilities having a joint value
11 for more than one purpose shall be equitably allocated among
12 such purposes in such manner as the board deems necessary
13 or appropriate to promote a sound national economy, to
14 encourage the widest possible economic use of water for
15 irrigation and of electric energy for domestic, rural, and
16 industrial needs, and to avoid the imposition upon any one
17 purpose of a greater share of joint costs than such purpose
18 should fairly bear. The board shall also determine the ap-
19 propriate periods and rates of amortization to be applied
20 to the capital investment allocated to a revenue-producing
21 purpose. The allocation of costs and the periods and rates
22 of amortization so determined by the board, when approved
23 by the President of the United States, shall be final and
24 shall be used thereafter in keeping the books of the Cor-
25 poration.

1 (b) The board shall, within three years from the date
2 of enactment of this Act, file with Congress a statement of
3 its allocation of the value of all such properties constructed
4 or turned over to said board and which have been completed
5 prior to the end of the preceding fiscal year, and shall there-
6 after in its annual report to Congress file a statement of its
7 allocation of the value of such properties as have been com-
8 pleted during the preceding fiscal year.

9 (c) For the purpose of accumulating data useful to the
10 Congress in the formulation of legislative policy in matters
11 relating to the generation, transmission, and distribution of
12 electric energy, and to the Federal Power Commission and
13 other Federal and State agencies, and to the public, the board
14 shall keep complete accounts of its costs of generation, trans-
15 mission, and distribution of electric energy and shall keep a
16 complete account of the total cost of generating and trans-
17 mission facilities constructed or otherwise acquired by the
18 Corporation, and a description of the major components of
19 such costs according to such uniform system of accounting
20 for public utilities as prescribed by the Federal Power Com-
21 mission, with such modifications as may be deemed by the
22 Corporation and Federal Power Commission to be necessary
23 or desirable by reason of the nature and character of the Cor-
24 poration and its operations, together with records of such
25 other physical data and operating statistics of the Corpora-

tion as may be helpful in determining the actual cost and value of services, and the practices, methods, facilities, equipment, appliances, and standards, and sizes, types, location, and geographical and economic integration of plants and systems best suited to promote the public interest, efficiency, and the wider and more economical use of electric energy. Such data shall be reported to the Congress by the board from time to time with appropriate analyses and recommendations, and, so far as practicable, shall be made available to the Federal Power Commission and other Federal and State agencies which may be concerned with the administration of legislation relating to the generation, transmission, or distribution of electric energy. It is hereby declared to be the policy of this title that, to make the Corporation's power and water projects self-supporting and self-liquidating, as soon as practicable the surplus power and water shall be sold at rates which, in the opinion of the board, will produce gross revenues in excess of the cost of production of said power or of the storage of said water, as the case may be; and the board shall file with each annual report a statement of the total cost of all power generated by it at all power stations during each year, the average cost of such power per kilowatt-hour, the total cost of all stored water sold by it during each year, the rates at which such power and water

1 are sold, and to whom sold, and copies of all contracts for
2 the sale of power and water.

3 SEC. 213. (a) In order to render financial assistance
4 to those States in which the Corporation carries on its opera-
5 tions and acquires properties previously subject to State and
6 local taxation, the board is authorized and directed to pay
7 to said States during each fiscal year 5 per centum of the
8 gross proceeds derived from the sale of power and of water
9 by the Corporation for the preceding fiscal year as herein-
10 after provided. The payment for each fiscal year shall be
11 apportioned among said States by paying to each State the
12 percentage thereof which the value of property held by the
13 Corporation within such State at the end of the preceding
14 fiscal year bears to the value of all property held by the
15 Corporation at the end of the preceding fiscal year. For
16 purposes of this section, property held by the Corporation
17 shall be deemed to include real property entrusted to the
18 Corporation as agent for the United States. The determina-
19 tion of the board of the amounts due hereunder to the respec-
20 tive States shall be final.

21 (b) The Corporation shall, not later than five years
22 after the enactment of this Act, submit to the Congress a
23 report on the operation of the provisions of this section, in-
24 cluding a statement of the distribution to the various States

1 and counties hereunder; the effect of the operation of the
2 provisions of this section on State and local finances; an
3 appraisal of the benefits of the program of the Corporation
4 to the States and counties receiving payments hereunder,
5 and the effect of such benefits in increasing taxable values
6 within such States and counties; and such other data, in-
7 formation, and recommendations as may be pertinent to
8 future legislation.

9 (c) The payments authorized under this section are
10 in lieu of taxation, and the Corporation, its property, fran-
11 chises, and income are hereby expressly exempted from tax-
12 ation in any maner or form by any State, county, munici-
13 pality, or any subdivision or district thereof.

14 SEC. 214. (a) To insure the integrated and coordinated
15 promotion of navigation, control, and prevention of floods,
16 safeguarding of navigable waters, reclamation of the public
17 lands, and protection of property of the United States, no
18 dam, appurtenant works, sewer, dock, pier, wharf, bridge,
19 trestle, landing pipe, building, float, or other or different
20 obstruction or polluter affecting navigation, the use of
21 navigable waters, flood control and prevention, the public
22 lands, or property of the United States, shall be constructed,
23 or operated or maintained, over, across, along, in, or into
24 the Missouri River, or any tributary stream of said river
25 or any tributary of such stream, except in accordance with

1 plans for such construction, operation, and maintenance
2 approved by the Corporation. The requirements of this
3 section shall be in addition to the requirements of all other
4 applicable laws of the United States or of any State; and
5 any approval, license, permit, or other sanction required by
6 any provision of any such law or laws for the construction,
7 operation, or maintenance of any such obstruction or polluter
8 or any part thereof (except such as may be constructed,
9 operated, or maintained under this title or other law of the
10 United States by the Corporation) shall be required as in
11 such law provided.

12 (b) The Corporation may bring appropriate proceed-
13 ings in a district court of the United States to enjoin any
14 violation of this section within the territorial jurisdiction of
15 such district court, or to require the removal of any obstruc-
16 tion or polluter constructed, operated, or maintained within
17 such jurisdiction in violation of this section; and upon a
18 proper showing a temporary or permanent injunction or
19 decree shall be granted without bond.

20 SEC. 215. In addition to formulating the plan and rec-
21 ommendations required by section 208 of this title, the Cor-
22 poration is hereby authorized to engage in the continuing
23 activities, more particularly defined below:

24 (a) To aid the proper use, conservation, and develop-
25 ment of the natural resources of the Missouri Valley region,

1 and with a view to the coordination and integration of pro-
2 grams, projects, and activities of agencies having an interest
3 in developing the resources of the region for the purpose
4 of increasing efficiency and eliminating waste and duplica-
5 tion of effort, and to provide for the general welfare of the
6 citizens of said region, the Corporation is hereby authorized,
7 by such means or methods as it may deem proper to make
8 such surveys, investigations, studies, and plans for the Mis-
9 souri Valley region as may be useful to the President, the
10 Congress, and the several States in guiding and controlling
11 the extent, sequence, and nature of development that may
12 be equitably and economically advanced through the expend-
13 iture of public funds, or through the guidance or control of
14 public authority, all for the purpose of fostering an orderly
15 and proper physical, economic, and social development of
16 said region.

17 (b) The Corporation is further authorized to undertake
18 such engineering and economic research and demonstrational
19 work as it deems necessary or appropriate (1) to develop
20 its studies and plans; (2) to test or demonstrate the feasi-
21 bility of such plans; (3) to promote the wider and improved
22 use of electric power and water for irrigation purposes, agri-
23 cultural and domestic use, and for small or locally owned
24 industries; and (4) more efficiently to develop or carry out
25 any project or activity authorized under this title or en-

1 trusted to the Corporation under any other Act or adminis-
2 trative order. In order to carry out such activities, the
3 Corporation is authorized to acquire, construct, operate,
4 maintain, and improve such laboratories and experiment sta-
5 tions as it deems necessary or appropriate.

6 (c) In carrying out the activities authorized in subsec-
7 tions (a) and (b) hereof, the Corporation shall have the
8 power to study the plans, projects, and activities of the several
9 Federal departments and agencies having an interest in
10 resource development in the Missouri Valley region. The
11 Corporation, insofar as practicable, shall consult and co-
12 operate with the field offices and services for any information
13 or data relevant to such plans, projects, and activities, and
14 it shall be the duty of such departments and agencies to have
15 their field offices and services take such action as may be
16 necessary or appropriate to cooperate with the Corporation.

17 (d) The Corporation, insofar as practicable, shall con-
18 sult and cooperate with the States and with public and co-
19 operative agencies in the making of studies, the collecting of
20 information and data, the development of plans, and the re-
21 search, demonstrational, and educational work authorized for
22 carrying out the purposes of this title. The Corporation may
23 make available to the departments and agencies of the United
24 States and to the States and the people thereof, and to public
25 and cooperative agencies, such information, studies, and rec-

1 ommendations as it deems necessary or appropriate, and such
2 other information and studies and such recommendations for
3 State legislation as the Corporation deems advisable to aid in
4 carrying out the purposes of this title. The Corporation
5 shall, from time to time, as the work provided for in the
6 preceding subsections progresses, recommend to the Presi-
7 dent and Congress such legislation as it deems proper to carry
8 out the general purposes stated in subsection (a) hereof.

9 SEC. 216. The Corporation is hereby granted the power
10 of eminent domain and may cause proceedings to be insti-
11 tuted for the acquisition by condemnation of any lands, ease-
12 ments, or rights-of-way which, in the opinion of the Corpora-
13 tion, are necessary to carry out the provisions of this title.
14 The proceedings shall be instituted in the United States dis-
15 trict court for the district in which the land, easement, right-
16 of-way, or other interest, or any part thereof, is located,
17 and such court shall have full jurisdiction to divest the com-
18 plete title to the property sought to be acquired out of all
19 persons or claimants and vest the same in the United States
20 in fee simple, and to enter a decree quieting the title thereto
21 in the United States of America.

22 Upon the filing of a petition for condemnation and for
23 the purpose of ascertaining the value of the property to be
24 acquired, and assessing the compensation to be paid, the
25 court shall appoint three commissioners who shall be disinter-

1 ested persons and who shall take and subscribe an oath that
2 they do not own any lands, or interest or easement in any
3 lands, which it may be desirable for the United States to
4 acquire in the furtherance of said project, and such com-
5 missioners shall not be selected from the locality wherein
6 the land sought to be condemned lies. Such commissioners
7 shall receive a per diem of not to exceed \$15 for their serv-
8 ices, together with an additional amount of \$5 per day for
9 subsistence for time actually spent in performing their duties
10 as commissioners.

11 It shall be the duty of such commissioners to examine
12 into the value of the lands sought to be condemned, to con-
13 duct hearings and receive evidence, and generally to take
14 such appropriate steps as may be proper for the determina-
15 tion of the value of the said lands sought to be condemned,
16 and for such purpose the commissioners are authorized to
17 administer oaths and subpena witnesses, which said wit-
18 nesses shall receive the same fees as are provided for wit-
19 nesses in the Federal courts. The said commissioners shall
20 thereupon file a report setting forth their conclusions as to
21 the value of the said property sought to be condemned, mak-
22 ing a separate award and valuation in the premises with
23 respect to each separate parcel involved. Upon the filing of
24 such award in court, the clerk of said court shall give notice

1 of the filing of such award to the parties to said proceeding,
2 in manner and form as directed by the judge of said court.

3 Either or both parties may file exceptions to the award
4 of said commissioners within twenty days from the date of
5 the filing of said award in court. Exceptions filed to such
6 award shall be heard before three Federal district judges
7 unless the parties, in writing, in person, or by their attorneys,
8 stipulate that the exceptions may be heard before a lesser
9 number of judges. On such hearing such judges shall pass
10 de novo upon the proceedings had before the commissioners,
11 may view the property, and may take additional evidence.
12 Upon such hearings the said judges shall file their own
13 award, fixing therein the value of the property sought to be
14 condemned, regardless of the award previously made by the
15 said commissioners.

16 At any time within thirty days from the filing of the
17 decision of the district judges upon the hearing on excep-
18 tions to the award made by the commissioners, either party
19 may appeal from such decision of the said judges to the circuit
20 court of appeals, and the said circuit court of appeals shall
21 upon the hearing on said appeal dispose of the same upon
22 the record, without regard to the awards or findings thereto-
23 fore made by the commissioners or the district judges, and
24 such circuit court of appeals shall thereupon fix the value of
25 the said property sought to be condemned.

1 Upon acceptance of an award by the owner of any prop-
2 erty herein provided to be appropriated, and the payment
3 of the money awarded or upon the failure of either party
4 to file exceptions to the award of the commissioners within
5 the time specified, or upon the award of the commissioners,
6 and the payment of the money by the United States pursu-
7 ant thereto, or the payment of the money awarded into the
8 registry of the court by the Corporation, the title to said
9 property and the right to the possession thereof shall pass
10 to the United States, and the United States shall be entitled
11 to a writ in the same proceeding to dispossess the former
12 owner of said property, and all lessees, agents, and attorneys
13 of such former owner, and to put the United States, by its
14 corporate creature and agent, the Corporation, into possession
15 of said property.

16 In the event of any property owned in whole or in part
17 by minors, or insane persons, or incompetent persons, or
18 estates of deceased persons, then the legal representatives of
19 such minors, insane persons, incompetent persons, or estates
20 shall have power, by and with the consent and approval of
21 the trial judge in whose court said matter is for determina-
22 tion, to consent to or reject the awards of the commissioners
23 herein provided for, and in the event that there be no legal
24 representatives, or that the legal representatives for such
25 minors, insane persons, or incompetent persons shall fail or

1 decline to act, then such trial judge may, upon motion, ap-
2 point a guardian ad litem to act for such minors, insane
3 persons, or incompetent persons, and such guardian ad litem
4 shall act to the full extent and to the same purpose and effect
5 as his ward could act, if competent, and such guardian ad
6 litem shall be deemed to have full power and authority to
7 respond, to conduct, or to maintain any proceeding herein
8 provided for affecting his said ward.

9 SEC. 217. (a) The Corporation, as an instrumentality
10 of the Government of the United States, shall have access to
11 the Patent Office of the United States for the purpose of
12 studying, ascertaining, and copying all methods, formulas,
13 and scientific information (not including access to pending
14 applications for patents) necessary to enable the Corporation
15 to use and employ the most efficacious and economical proc-
16 esses in the course of its operations. Except as provided in
17 subsection (b), any owner of a patent whose patent rights
18 may have been thus in any way copied, used, infringed, or
19 employed by the exercise of this authority by the Corpora-
20 tion shall have as the exclusive remedy a cause of action
21 against the Corporation, to be instituted and prosecuted in
22 the appropriate district court of the United States for the
23 recovery of reasonable compensation for such infringement.
24 The Commissioner of Patents shall furnish to the Corpora-

1 tion at its request and without payment of fees, copies of
2 documents on file in his office.

3 (b) Any invention or discovery made by virtue of and
4 incidental to service to the Corporation by an employee of
5 the Government of the United States pursuant to section
6 204 (h) of this title or otherwise, or by any employee of the
7 Corporation, together with any patents which may be
8 granted thereon, shall be the sole and exclusive property
9 of the Corporation, which is hereby authorized to grant
10 such licenses thereunder as shall be authorized by the board:
11 *Provided further*, That the board may pay to such inventor
12 such sum from the income from the sale of licenses as it
13 may deem proper.

14 SEC. 218. (a) All general penal statutes relating to the
15 larceny, embezzlement, conversion, or to the improper
16 handling, retention, use, or disposal of public moneys or
17 property of the United States shall apply to the moneys
18 and property of the Corporation and to moneys and properties
19 of the United States entrusted to the Corporation.

20 (b) Any person who, with intent to defraud the Cor-
21 poration, or to receive any director, officer, or employee of
22 the Corporation or any officer or employee of the United
23 States (1) makes any false entry in any book of the Cor-
24 poration, or (2) makes any false report or statement for

1 the Corporation, shall, upon conviction thereof, be fined not
2 more than \$10,000 or imprisoned not more than five years,
3 or both.

4 (c) Any person who shall receive any compensation,
5 rebate, or reward, or shall enter into any conspiracy, col-
6 lusion, or agreement, express or implied, with intent to de-
7 fraud the Corporation or wrongfully and unlawfully to defeat
8 its purposes, shall, on conviction thereof, be fined not more
9 than \$5,000 or imprisoned not more than five years, or both.

10 SEC. 219. All Acts or parts of Acts in conflict herewith
11 are hereby repealed, so far as they affect the operations con-
12 templated by this title.

13 SEC. 220. If any provision of this title or the application
14 of such provision to any person or circumstances shall be
15 held invalid, the remainder of the title and the application
16 of such provision to persons or circumstances other than those
17 to which it is held invalid shall not be affected thereby.

18 SEC. 221. This title shall be liberally construed to carry
19 out the purposes of Congress to provide for the disposition
20 of and make needful rules and regulations respecting Govern-
21 ment properties entrusted to the Corporation, provide for
22 the national defense, improve navigation, control destructive
23 floods, and promote interstate commerce and general welfare.

24 SEC. 222. This title may be cited as the "Missouri
25 Valley Authority Act."

H. R. 4485

AMENDMENTS

Intended to be proposed by Mr. MURRAY (for himself and Mr. LANGER) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. MALONEY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

1 On page 3, line 8, of the printed committee amendment
2 as modified inserting section 5, strike out the words "de-
3 manded or purchased within three years after" and insert
4 "purchased upon", so that as amended the proviso would
5 read: "*Provided*, That unless 90 per centum of the firm
6 power produced at such projects shall be purchased upon
7 completion of construction of such projects, the Secretary
8 of the Interior is authorized to construct transmission lines
9 for the purpose of selling such power at wholesale".

AMENDMENT

Intended to be proposed by Mr. MAJONEY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. LANGER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: At the end of the bill insert a new section as follows:

1 SEC. . (a) There is hereby established an agency of
2 the United States to be known as the Missouri Valley Power
3 Administration, all of the powers of which shall be exercised
4 by an Administrator, who shall be appointed by the Presi-
5 dent, by and with the advice and consent of the Senate. The
6 Administrator shall be appointed for a term of three years
7 and shall receive compensation at the rate of \$10,000 per
8 annum.

1 (b) (1) All electric power generated at the Fort Peck
2 Dam, which is not required in the operation of such dam,
3 shall be delivered to the Administrator for disposition in
4 accordance with the provisions of this section.

5 (2) The Administrator is authorized and directed to
6 transmit and dispose of electric power delivered to him
7 under paragraph (1) of this subsection by sale to con-
8 sumers, either directly or through cooperative associations,
9 at the lowest possible rates consistent with sound business
10 principles, the rate schedules to become effective upon con-
11 firmation and approval by the Federal Power Commission.

12 (3) In carrying out the provisions of this section the
13 Administrator shall give preference to consumers in rural
14 areas who are not receiving central station service, and shall
15 construct or acquire such transmission lines and other facili-
16 ties as may be necessary to provide for furnishing electric
17 power to all such consumers in as wide an area as can effi-
18 ciently be served. The Administrator shall provide for the
19 furnishing and installation of equipment and appliances to,
20 and the wiring of the premises of, such consumers, at cost
21 upon such terms as may be necessary to provide all such con-
22 sumers a reasonable opportunity to purchase and utilize such
23 electric power.

24 (c) In addition to the powers and duties expressly con-
25 ferred upon the Administrator under this section, he shall

1 exercise all of the powers conferred upon the Bureau of
2 Reclamation and the Secretary of the Interior under the
3 provisions of the Act entitled "An Act to authorize the com-
4 pletion, maintenance, and operation of the Fort Peck project
5 for navigation, and for other purposes", approved May 18,
6 1938 (52 Stat. 403), which are not inconsistent with the
7 provisions of this section.

8 (d) For the purpose of carrying out the provisions of
9 this section the Administrator is authorized, without regard
10 to the civil-service laws and the Classification Act of 1923,
11 as amended, to employ and fix the compensation of such
12 attorneys, engineers, and experts, and, subject to the civil-
13 service laws and the Classification Act of 1923, as amended,
14 such other officers and employees as he deems necessary.

15 (e) There are hereby authorized to be appropriated
16 such sums as may be necessary to carry out the provisions
17 of this section.

AMENDMENT

Intended to be proposed by Mr. LANGER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. LANGER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes viz: At the end of the bill insert a new section as follows:

1 SEC. .(a) In addition to the primary purposes for
2 which the Fort Peck Dam project was authorized under the
3 provisions of the Act of August 30, 1935 (49 Stat. 1028),
4 and the Act of May 18, 1938 (52 Stat. 403), such dam
5 shall be used for the storage of water for the purposes of
6 reclamation of arid and semiarid lands and lands of Indian
7 reservations.

8 (b) The Secretary of the Interior is authorized and
9 directed, in accordance with the provisions of the reclamation

1 laws (1) to construct, operate, and maintain such pumping
2 plants, canals, and other appurtenant works and facilities
3 as may be necessary to provide for the delivery of such
4 stored waters for reclamation purposes, (2) to enter into
5 repayment contracts, and other necessary contracts, with
6 State agencies, authorities, associations, persons, and cor-
7 porations, either public or private, and (3) to acquire by
8 proceedings in eminent domain, or otherwise, all lands,
9 rights-of-way, water rights, and other property necessary to
10 carry out the purposes of this section.

11 (c) There are hereby authorized to be appropriated
12 such sums as may be necessary to carry out the provisions
13 of this section.

AMENDMENT

Intended to be proposed by Mr. LANGER to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 22 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

H. R. 2688. An act for the relief of Clarence H. Miles, Mrs. Mollie Miles, and Hardy Miles, a minor;
 H. R. 2827. An act for the relief of the estate of Ida M. Rutherford;
 H. R. 3017. An act for the relief of Hubert McMahon and the legal guardian of Barbara McMahon;
 H. R. 3138. An act for the relief of Mrs. Bertha Macklin;
 H. R. 3191. An act for the relief of Lillian Hill;
 H. R. 3192. An act for the relief of Mrs. Bertha Grantham;
 H. R. 3218. An act for the relief of Enid M. Albertson;
 H. R. 3279. An act for the relief of Clarence G. Doelling and Doris J. (McNeil) Doelling;
 H. R. 3285. An act for the relief of Mrs. Rose Poisson;
 H. R. 3302. An act for the relief of Eleanor Parkinson;
 H. R. 3323. An act for the relief of Mrs. William M. Watson and R. H. Price;
 H. R. 3369. An act for the relief of Harry V. Hearn;
 H. R. 3400. An act for the relief of LaVerne Whipple;
 H. R. 3414. An act for the relief of Edward C. Robbins;
 H. R. 3465. An act for the relief of Archie Berberian, Kurken Berberian, and Mrs. Osgetel Berberian;
 H. R. 3484. An act for the relief of Mrs. Pearl W. Peterson;
 H. R. 3584. An act for the relief of Elsie Hawke;
 H. R. 3630. An act for the relief of Peter Paul Bacic, Charles C. Cox, H. Forest Haugh, and Luther M. Durst;
 H. R. 3645. An act for the relief of Mary Agnes Lichtefeld Droppelman;
 H. R. 3678. An act for the relief of Floyd E. and Lena Mae Drummond;
 H. R. 3727. An act for the relief of the legal guardian of Violet DeGroot;
 H. R. 3814. An act for the relief of M. Senders & Co.;
 H. R. 3852. An act for the relief of the O. S. Stapley Co.;
 H. R. 3880. An act for the relief of Mrs. Anna Zukas;
 H. R. 3881. An act for the relief of Mrs. Anna Chandler;
 H. R. 3928. An act for the relief of James LeRoy Eden;
 H. R. 3931. An act for the relief of the estate of Dr. A. D. Gibson;
 H. R. 3995. An act for the relief of Walter Lundmark;
 H. R. 3996. An act for the relief of F. L. Gause and the legal guardian of Rosalind and Helen Gause, minors;
 H. R. 4014. An act for the relief of Mrs. Ruby Winsch;
 H. R. 4016. An act for the relief of John Casey and Marie Casey;
 H. R. 4036. An act for the relief of John H. Bonney, the legal guardian of Daniel R. Bonney, a minor;
 H. R. 4038. An act for the relief of Joseph W. Steel;
 H. R. 4049. An act for the relief of Alfred F. Ross;
 H. R. 4080. An act for the relief of certain former employees of the United States Court for China;
 H. R. 4105. An act for the relief of Ira Cannon;
 H. R. 4111. An act for the relief of Louis Beckham;
 H. R. 4125. An act for the relief of Kelly Hobbs;
 H. R. 4144. An act for the relief of Brig. Gen. Louis J. Fortier;
 H. R. 4200. An act for the relief of William Weber;
 H. R. 4212. An act for the relief of Robert Rowe and Mary Rowe;
 H. R. 4213. An act for the relief of Karl Lungstras;

H. R. 4248. An act for the relief of the legal guardian of Louis Ciniglio;
 H. R. 4305. An act for the relief of Henry Clay Walker;
 H. R. 4309. An act for the relief of Rosa Lee Foreman;
 H. R. 4322. An act for the relief of the estate of Floyd M. Adair, deceased;
 H. R. 4331. An act for the relief of Mrs. Florence Armstrong;
 H. R. 4333. An act for the relief of Bertha LeFrancq;
 H. R. 4345. An act for the relief of the legal guardian of Luther Marcus Smith, a minor;
 H. R. 4363. An act for the relief of Ollie Brashear Hearldson;
 H. R. 4366. An act for the relief of Alex Wylie, and the estate of James Evans;
 H. R. 4367. An act for the relief of Mrs. Julia Toler;
 H. R. 4380. An act for the relief of Mabelle E. Olive;
 H. R. 4442. An act for the relief of Albert B. Weaver;
 H. R. 4451. An act for the relief of John McLaughlin, Sr., and John McLaughlin, Jr.
 H. R. 4481. An act for the relief of William H. Crompton;
 H. R. 4542. An act for the relief of Harold Miller;
 H. R. 4549. An act for the relief of Sandy C. Brown;
 H. R. 4588. An act for the relief of Robert L. Whiddon;
 H. R. 4593. An act for the relief of Thomas R. Clark;
 H. R. 4629. An act for the relief of Ludwig Wolf;
 H. R. 4631. An act for the relief of John L. MacNeil;
 H. R. 4674. An act for the relief of the estate of Everette Maxwell; the estate of Redman P. Maddux; and the legal guardian of Elmer Massa, a minor;
 H. R. 4703. An act for the relief of the estate of Annie Brown;
 H. R. 4736. An act for the relief of Dr. H. L. Klotz;
 H. R. 4786. An act for the relief of the estate of Kimball Lee Beckner;
 H. R. 4815. An act for the relief of the Board of County Commissioners of Volusia County, Fla.;
 H. R. 4817. An act for the relief of Wilfred T. Plant, Sr.;
 H. R. 4878. An act for the relief of the estate of Emma B. Fleet, deceased;
 H. R. 4921. An act for the relief of Dr. J. Sims Norman;
 H. R. 4927. An act for the relief of Francis D. Stovall, Jr.;
 H. R. 4929. An act for the relief of Lt. James H. Clark and Eleanor Clark;
 H. R. 4932. An act for the relief of Jessie Springsteen and John Springsteen;
 H. R. 5034. An act for the relief of the estate of Francis A. Collins;
 H. R. 5048. An act for the relief of the estate of Cecile H. Burgett, deceased;
 H. R. 5060. An act for the relief of Clyde H. Palmer; estate of Lola J. Palmer; legal guardian of Margie Joan Palmer, a minor; and
 H. R. 5167. An act to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claim of the board of trustees of the Saunders Memorial Hospital; to the Committee on Claims.
 H. R. 4737. An act for the relief of W. A. Smoot, Inc.; ordered to be placed on the calendar.

RIVER AND HARBOR IMPROVEMENTS—AMENDMENTS

Mr. RADCLIFFE submitted three amendments intended to be proposed by him to the bill (H. R. 3961) authorizing

the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were ordered to lie on the table and to be printed.

FLOOD CONTROL PROJECTS—AMENDMENTS

Mr. LANGER submitted two amendments intended to be proposed by him to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. MURRAY (for himself and Mr. LANGER) submitted an amendment intended to be proposed by them jointly, to House bill 4485, supra, which was ordered to lie on the table and to be printed.

Mr. GURNEY (for Mr. BRIDGES) submitted an amendment intended to be proposed by Mr. BRIDGES to House bill 4485, supra, which was ordered to lie on the table and to be printed.

THE DEVELOPMENT OF FOREIGN COMMERCE—ADDRESS BY HON. JAMES A. FARLEY

[Mr. GEORGE asked and obtained leave to have printed in the RECORD an address regarding domestic trade and foreign commerce, delivered by Hon. James A. Farley at the third general session of the Thirty-First National Foreign Trade Convention, in New York, October 11, 1944, which appears in the Appendix.]

MISSOURI VALLEY AUTHORITY—STATEMENT BY JAMES G. PATTON

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a statement regarding the development of the Missouri Valley, issued by James G. Patton, president of the National Farmers Union, which appears in the Appendix.]

DEVELOPMENT OF THE MISSOURI RIVER BASIN—ADDRESS BY JONATHAN W. DANIELS

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address on the subject of the development of the Missouri River Basin by Jonathan W. Daniels, which will appear hereafter in the Appendix.]

IT IS FOR US, THE LIVING—ADDRESS BY JOHN W. FESLER

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an address entitled "It Is for Us, the Living," by John W. Fesler, at the annual observance of dedication day by the Indiana Commandery of the Military Order of the Loyal Legion, at Foster Hall, Indianapolis, Ind., November 19, 1944, which appears in the Appendix.]

TREATY OR AGREEMENT?—EDITORIAL FROM THE WASHINGTON POST

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial from the Washington Post, entitled "Treaty or Agreement?" which appears in the Appendix.]

THE NAVY'S WAR ACCOUNT

[Mr. MEAD asked and obtained leave to have printed in the RECORD a pamphlet entitled "The Navy's War Account," which appears in the Appendix.]

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. The pending question carried over from yesterday is on agreeing to the amendment proposed by the senior Senator from Kentucky [Mr. BARKLEY] inserting in the committee amendment on page 1, line 5, after the word "improvements", the words "provided for in this act." [Putting the question.] The vote seems to be a tie.

Mr. BARKLEY. I ask for a division. There are more than two Senators in the Chamber, and I hope Senators will vote.

The VICE PRESIDENT. Those in favor of the amendment offered by the Senator from Kentucky will rise.

Mr. VANDENBERG. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	George	O'Daniel
Austin	Gerry	O'Mahoney
Bailey	Gillette	Overton
Ball	Green	Pepper
Bankhead	Guffey	Radcliffe
Barkley	Gurney	Revercomb
Bilbo	Hatch	Reynolds
Brewster	Hayden	Robertson
Brooks	Hill	Russell
Buck	Jenner	Shipstead
Burton	Johnson, Calif.	Taft
Bushfield	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Okla.
Byrd	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lucas	Vandenberg
Chandler	McClellan	Walsh, Mass.
Clark, Idaho	McFarland	Walsh, N.J.
Clark, Mo.	McKellar	Weeks
Connally	Maloney	Wheeler
Cordon	Maybank	Wherry
Davis	Mead	White
Downey	Millikin	Wiley
Ellender	Murray	Willis
Ferguson	Nye	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Tennessee [Mr. STEWART] are absent because of illness in their families.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] and the Senator from Utah [Mr. MURDOCK] are detained on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER] and the Senator from Washington [Mr. WALLGREN] are necessarily absent.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from New Hampshire [Mr. BRIDGES], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], and the Senator from Iowa [Mr. WILSON].

The Senator from Oregon [Mr. HOLMAN] is absent because of illness in his family.

The Senator from Connecticut [Mr. DANAHER] is absent on important public business.

Mr. WHITE. I desire to announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

A division has been requested on the amendment of the Senator from Kentucky [Mr. BARKLEY] to the committee amendment on page 1.

Mr. BARKLEY. Mr. President, if I may be permitted to, I should like to make a brief explanation. The pending amendment is the one I offered yesterday, to which no objection was made by the Senator from Louisiana [Mr. OVERTON] in charge of the bill. My amendment simply limits the declaration of policy to the projects carried in this bill, and does not attempt to project the declaration of policy over into the future. I hope the amendment will be agreed to. We debated at some length in the Senate yesterday whether this Congress or any Congress had the power to bind another Congress, and, of course, we all agreed that one Congress cannot bind another Congress; but I felt that, in order that no one should receive the impression that we were trying to bind future Congresses, the amendment should be adopted limiting this declaration of policy to the projects set out in the pending bill. It is my understanding that the Senator from Louisiana does not object to that amendment.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. It seemed to me in the first instance that the amendment was quite needless and futile, but inasmuch as it has been offered, if it were now rejected, the impression might be created that we were trying to extend our jurisdiction further than we have power to do.

Mr. BARKLEY. Yes; that is true. All I am trying to do by my amendment is to prevent the impression from being created that we are trying to place another Congress under the moral obligation to extend a policy, which is something we cannot do.

The VICE PRESIDENT. A division has been requested on the amendment of the Senator from Kentucky [Mr. BARKLEY] to the committee amendment.

On a division the amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment passed over.

The CHIEF CLERK. On page 4, after line 13, it is proposed to insert:

SEC. 5. Electric power and energy—

Mr. BARKLEY. Just a moment. The amendment just agreed to was passed over yesterday at the request of the Senator from Montana [Mr. WHEELER].

Mr. OVERTON. The one we just agreed to was passed over until today.

Mr. BARKLEY. That is correct. I think the Senator from Montana did not realize that we were voting on the amendment which he asked to go over.

Mr. WHEELER. Mr. President, I did not understand that the Senate was vot-

ing to agree to the entire amendment. I do not think that the amendment offered by the Senator from Kentucky to the committee amendment which has just been agreed to, changes the effect of the committee amendment very much, but it does apply to the pending bill. I have no objection to the Senator's amendment insofar as it applies to the provision with respect to flood control, but it seems to me the amendment goes further than that and tries to set up a policy for the future with respect to reclamation and irrigation projects.

It was stated yesterday, as I understood, that, while it was not felt that a provision with respect to irrigation and reclamation should be contained in the bill, nevertheless such a provision was placed in the bill at the request of the Bureau of Reclamation. I understand now that when the bill came from the House it did not contain a provision with respect to irrigation and reclamation, but that the Bureau of Reclamation asked for certain amendments to the bill. Some of the provisions for which it asked were placed in the bill, but certainly not all the provisions asked by the Bureau of Reclamation were placed in the bill.

Mr. OVERTON. My recollection is, Mr. President, that the amendment with respect to irrigation was suggested by the Bureau of Reclamation. The amendment dealing with power, that is the sale of power and the distribution of power, was modified in the first draft of the bill, and has been since modified by the committee amendment which was submitted yesterday by the Senator from North Carolina [Mr. BAILEY].

Mr. WHEELER. I talked with a representative of the Department of the Interior this morning, and my information is—I may be incorrectly informed—that the Department feels that the provision dealing with reclamation and irrigation does not go as far as the Department would like, because it seems to throw the doors open with respect to the use of water, and does not eliminate the speculative features which they had suggested be dealt with, nor does it try to limit the use of water to small farms. The whole policy of reclamation in the past—and I hope it will always continue in the future—has been that when the Government establishes a reclamation and irrigation project, it is not for the big farmers, but for the purpose of creating small farms and homes for those who wish to operate small farms for the purpose of making a living.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. OVERTON. I believe the Senator is referring to the Central Valley authority question, and not to the broad amendment with respect to irrigation. The Elliott amendment, which was inserted in the House, with reference to the Central Valley, provided that the 160-acre limitation should not apply to the Central Valley Authority. That provision was stricken out by the Commerce Committee. But that relates only to the Central Valley. I believe that the committee struck it out because it was thought that that was a matter on which

we ought not to pass, but that the Committee on Irrigation and Reclamation should pass on the recommendation. That was largely the reason, although not exclusively the reason.

Mr. WHEELER. It seems to me that we ought not to establish a permanent future policy for irrigation and reclamation without the limitations which have heretofore been in the Reclamation Act. At this time I shall not oppose the first section on that basis, but I wish to have it clearly understood that, so far as I am concerned, I am not for irrigation and reclamation merely for the benefit of a few big farmers. The purpose should be to create homes for small independent farmers, so that they can make a living. When the war is over, a great many men now in the service will wish to establish homes for themselves.

Section 8 of the bill provides in part as follows:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes.

Under those conditions, first of all, a policy would be established under which the Bureau of Reclamation must go before the Secretary of War, hat in hand, to ask for approval of a project. Before a reclamation project could be constructed, the sanction of the Secretary of War would be necessary.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. OVERTON. I should like to read into the RECORD what the Secretary of the Interior requested in that connection, and then it can be compared with what the committee did. This is the provision recommended by the Secretary of the Interior:

SEC. 6. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior—

That is the "hat in hand" argument. Referring to the "hat in hand" argument, let me say that I do not believe that Secretary Ickes would take off his hat to anyone.

Mr. WHEELER. That is probably fortunate.

Mr. OVERTON. Someone must have control of a dam. If it is a flood-control or navigation dam, the Secretary of War has charge of it, and if it is an irrigation dam, the Secretary of the Interior has charge of it. Therefore the recommendation of the Secretary of the Interior is as follows:

SEC. 6. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that any dam and reservoir project operated under the direction of the Secretary of War can be consistently utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws

(act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), or under the provisions of other applicable laws, such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws or other applicable laws; and, within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing.

I do not believe there is any material alteration of that provision.

Mr. WHEELER. I believe the Senator is correct.

Mr. OVERTON. I think the Secretary of the Interior is satisfied with this amendment.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. O'MAHONEY. Let me invite the attention of the Senator to the language of the amendment proposed on behalf of a number of western Senators. I have not had an opportunity to consult with the Senator from Montana since this amendment was redrafted. If he will look on page 8 of the amendment, he will find there a new section 8 which I am persuaded will be quite satisfactory to the Army engineers as well as to the Bureau of Reclamation. I hope that before the day is over an opportunity will be presented for us to discuss this amendment with the Senator from Louisiana. However, I wish to invite the Senator's attention to the language which appears on page 8 of the proposed amendment, beginning in line 21. This amendment was submitted on behalf of a group of western Senators, of whom the Senator from Montana is one. On page 8, beginning in line 21, I believe he will find that this matter is adequately dealt with.

Mr. WHEELER. I thank the Senator from Wyoming.

The VICE PRESIDENT. The clerk will state the next amendment which has been passed over.

The amendment was read, as follows:

Amend section 5 by striking out all the language after the word "cooperatives" and the period on page 4, line 25, and ending on page 5, line 7, and insert in lieu thereof the following:

"The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to

construct transmission lines for the purpose of selling such power at wholesale."

So that section 5 as modified will read as follows:

"SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale."

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as modified.

The VICE PRESIDENT. The Senator from Louisiana is recognized.

Mr. OVERTON. Mr. President, let me make the observation that the pending amendment is a committee amendment being handled by the senior Senator from North Carolina [Mr. BAILEY], who is now present.

Mr. BARKLEY. Mr. President, let me inquire whether the Senator from North Carolina intends to make a statement in regard to the amendment.

Mr. BAILEY. I will make a statement about it if one is necessary.

Mr. BARKLEY. Probably I should have read at this point a letter from the Secretary of the Interior which I have just received in regard to the amendment.

Mr. President, I ask unanimous consent that the clerk read from the desk a letter addressed to me by the Secretary of the Interior, discussing the so-called Bailey amendment, and also a memorandum which he attaches to the letter, in regard to the flood-control bill.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

WASHINGTON, D. C. November 22, 1944.
Hon. ALBEN W. BARKLEY,
United States Senate.

DEAR SENATOR BARKLEY: My attention has been called to the amendment that Senator BAILEY intends to propose on the Flood Control bill (H. R. 4485). That amendment would result in a fundamental reversal of the sound traditional policies of the Congress with respect to the sale of Federal power. By restricting the construction of transmission facilities, it would place the Government in a poor bargaining position in the sale of its power and would permit the private util-

ity in the vicinity of each dam to monopolize, on its own terms, the power produced at the Federal project. Rather than giving the customary preference to public agencies and farmers' rural electric cooperatives in the disposition of public power, the effect of the amendment would be to foreclose these public and nonprofit agencies from securing the power. The amendment would therefore result in lower income to the Federal Government and in higher power rates to the farmers and other consumers who might otherwise be benefited from the Federal power developments.

The genesis of the proposed Bailey amendment may be found in the declaration of water resource policies of the United States Chamber of Commerce, issued on May 29, 1944, by a committee largely composed of officials of private power companies and large mining interests. Declaration No. VI of that committee called for the pooling of public and private power along the lines of the proposed amendment and also stated that Government power should be sold "at the point of production." This was also the position taken by Governor Bricker in the recent campaign when he suggested that Federal power be sold at the busbar.

Disposition of power generated at Government projects under public power policies, such as sales preference for municipalities and other public agencies and for farm cooperatives, has been a basic tenet of governmental policy since 1906 when the Congress first authorized power developments on reclamation projects. Subsequently, the Congress has reiterated and extended these policies in the Tennessee Valley Authority, Bonneville, and Fort Peck Acts and in the Reclamation laws. I cannot believe that the Congress will want to overthrow these sound policies that have been imbedded in our laws and have resulted in promoting the industrial development of the West and South and in the protection of the consumers in those areas. The policy of the proposed amendment would deprive the ultimate consumer of the benefits of low-cost electric energy produced at public projects and would permit their monopoly by a few private utilities.

I am attaching for your information a copy of a memorandum regarding the provisions of the flood-control bill that relate generally to the power and irrigation policies of the Government.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

MEMORANDUM ON FLOOD-CONTROL BILL

The omnibus flood-control bill, H. R. 4485, as reported by the Senate Committee on Commerce, authorizes the post-war construction of a large number of projects. It has a serious effect on fundamental Government power and reclamation policies. Because these policies are involved, and because the bill does not authorize immediate construction, hasty action is not called for at the present time, and the implications of the legislation should be carefully weighed.

Section 5 of the bill, as reported, deals with the disposition of electric power. While the clause is not objectionable in itself, it is less comprehensive and progressive than comparable clauses in laws previously enacted, such as the Bonneville and T. V. A. legislation. Furthermore, it is understood that an attempt will be made to amend section 5 and completely reverse the progressive power policies of recent years by virtually prohibiting the construction of transmission lines by the Government. Thus the Government, which builds the dam and generates the power, would have to depend for its disposal wholly on whatever utility company brought lines to the dam.

Section 8 of the bill, as reported, wisely invokes the reclamation laws in the use of projects for irrigation purposes. However, the bill as it passed the House contained no such provision, and in the Senate, it is understood, an attempt will be made to amend or delete section 8. The reclamation policies of this country, in effect for more than 40 years, are designed to encourage family-type farms and to discourage speculation. They should not be changed or set aside in the course of a hurried consideration of a flood-control bill authorizing projects at some indefinite future date.

In section 9 of the bill, as reported, is a paragraph headed "Connecticut River Basin," in which there is a proviso prohibiting the generation of hydroelectric power at dams in the Connecticut River Basin. This would mean that the dams would be so constructed that opportunities to harness and use a great amount of power in the Connecticut River Valley would be forever wasted.

Also in section 9 is a paragraph entitled "Missouri River Basin." This paragraph authorizes construction, and establishes a Missouri River Commission, in the War Department, which will plan further navigation and flood control projects in the Missouri Basin. The establishment of such a commission, and in fact the entire paragraph, runs counter to the President's proposal for a Missouri Valley Authority. Such an Authority would have to handle problems of reclamation, the use of public lands, power projects, etc., as well as flood control and navigation, and would be responsible for the long-range planning for the region. Its duties would be onerous enough without having the situation muddled by the existence of other commissions with partial authority and the authorization of partial plans for construction, in the formulation of which it had no voice.

Finally, in section 9, a paragraph headed "San Joaquin River" authorizes Army construction of certain projects in California, on streams flowing into the Central Valley. The Central Valley project, as authorized by Congress, is operated by the Bureau of Reclamation; the Bureau has built dams and irrigation works, and markets the surplus power. The present bill changes the pattern. It puts two different agencies, in two different departments, at work on a multiple-purpose project where the utmost coordination is essential. Thus the effect of this section is harmful to good administration. Furthermore, it would be extremely harmful were section 8 deleted and sound reclamation policies disregarded as they were in the bill as it passed the House.

As the projects authorized by this bill would not be undertaken until after the war, there is no need for haste. There is danger in lightly changing fundamental policies for the conservation and development of our resources. Hasty passage of the bill might seriously hamper and delay every effort to adopt a sound program of unified development in the great river basins of the country.

Mr. BAILEY. Mr. President, it appears that the honored and honorable Secretary of the Interior does not like my amendment, and that he does not like a good many other features of the pending bill. I think that invites me to pay my respects to him. I think he is a very able man and a first-class Secretary of the Interior. He has conducted the Department of the Interior for nearly 12 years, and has done so with a great deal of ability. I think he is a first-class administrator. But I do not think we could trust him—of course, I say that respectfully—in any matter of debate, or in any controversy in which he should

determine to take a side. He is clearly a partisan in matters of this type, and I believe I am safe in saying that he is something of a crusader. The judgment of partisans and crusaders is always to be respected, just as the judgment of every one else is to be respected; but they are not, by any means, to be trusted. I think I may say, without violating the proprieties, that notwithstanding his unusual executive ability, his candor—and I think his honesty—he is the type of man who always goes to extremes, and if one gets into a debate with him and escapes without being called some foul name, or having some foul motive attributed to him one way or the other, he is lucky. That is a frank statement, but that is my estimate of the Secretary of the Interior.

I am glad this issue is here. It is a major issue of national policy. We have been coming to it for years, but we come to it now in the ultimate sense. If we settle it in one way, very clearly the national policy will be determined in that way, I should say, forever. If we should settle it in another way, in the way I propose to settle it, the national policy would at any rate be not irrevocable, and I think it would be constructive.

I submitted this amendment in a sincere effort to compose very great differences, and to bring about a substantial policy of live and let live.

When there were only a few dams here and there in the country, and we were not permitted the almost unlimited expenditures which are now permitted, the matter was not of any great pressing importance, and we did not think about the implications of what we were doing. It was not necessary to think about them because they were limited in their consequences. But we have before us a bill by which it is proposed to construct great dams throughout the country over a long period of years, which would call for, I believe, approximately a billion dollars of expenditure, and would be, as we say, in the interest of flood control.

We have coupled flood control with the production of power. I have no objection to that where it is done as an incidental matter. Flood control comes first. The argument that our cities and farm lands ought not to be devastated year after year by floods if we can possibly prevent it, appeals to the finest instincts in the breasts of every one of us. It cannot be said that we have been successful so far, but we have set out in that direction.

On that portion of this subject I am rather committed. I will go far in the interest of flood control. I will go far in the matter of appropriations for such purposes, although I take the opportunity of saying that I look forward to the unlimited expenditure of money in this country with the greatest of misgivings. I frequently think to myself—I question if I have heretofore uttered such sentiments in the presence of others—that we are now entering upon a period of borrowing and spending which will make the Hopkins era appear to be an era of misers.

But I shall have to pass by that subject. I shall not discuss it. I throw out

the suggestion because anyone can see where we are going. We are learning no lessons from the past in the matter of expenditure. We have taken the view that the resources of the Government, so far as money is concerned, are unlimited; that there cannot be any such thing as too much spending or too much borrowing, and that national bankruptcy is by no means possible. On the other hand, the attitude appears to be that the more we spend the richer we shall be, and the more capable we shall be of spending. We shall come into the post-war period—I hope very soon—with the impression that merely by the process of unlimited spending we can create unlimited income, unlimited taxes, and unlimited revenue. It is an impression so fallacious that I shall not controvert it at this time.

We have before us a long list of projects intended primarily, as we say, to control devastating floods. But coupled with it in most instances would be expenditures for the purpose of producing power, and for additions to the dams called for in the interest of power. The increases in appropriations necessitated by the power program would be really greater than the appropriations called for in the interest of flood control. Of course, that was never contemplated by the Constitution. I shall not argue that point; it is a matter for our own conscience; but I do say that it is a rather lamentable thing that we should take the good cause, the necessitous cause of flood control and build upon that as a pretext whereby we obviate the constitutional inhibition and thrust the Federal Government into the power field. Yet, that is the program; it is at hand, and we have now reached the point where we are building power dams everywhere. Whether we build them in the name of flood control or not makes no difference, for it appears by every conception from any angle that the objective is the production of electric energy. We have had some disasters, one of them as I recall the Pensacola disaster—not in Florida, but I think in Oklahoma—wholly consequent upon undertaking to convert a flood-control proposition into a power proposition. There have been other such incidents in Texas.

But, after all, that is not the main matter that I am driving at. Here it is: We have reached the stage in our policy when we must determine whether we shall go on into an era of Federal power universally, Federal electrical power universally, or have the division we have had heretofore.

Now, it will be impossible for the power companies, that I may refer to now as private power companies although, of course, they are all quasi-public corporations and are controlled by the utility commissions of the several States and, to some extent, by the national authority under the Federal power laws. But when I say private power companies I am speaking of those companies which have grown up in the last 30 or 40 years by way of corporate organizations, with subscription to stock, and which operate as other corporations do, but always subject to the regulatory laws of the States

in which they operate. I consider these power companies to be a real asset to the country and to the sections in which they are located.

I realize that the power companies have been under attack in this country ever since I have been in the Senate, and, unfortunately, some of the power companies conducted themselves so outrageously that they justified the attack. I refer, of course, to Mr. Insull's conduct, but not to him alone, for I should say there are others. He created what we call the holding company, and one holding company upon top of another, until the Congress had to take action to get rid of them, and it took rather arbitrary action. The whole consequence of that was that the private companies fell into a sort of general disrepute, and, under the ordinary operations of human nature, many of them became the objects of public and private attack. I am afraid that almost unawares we were driven by that process to an attitude of thinking that private power companies were bad things anyway and ought to be gotten rid of, and I think that is a part of the program with which we are dealing here. I do not subscribe to that at all. I think a private power company, well conducted and supervised by its State, its rates regulated, as they are regulated in North Carolina, its activities supervised, as they are supervised in North Carolina, is an asset to a State and to the people.

I think that is the first time I have ever heard that said in the Senate. Most people just assume that they are as bad as the Insull operations, which took place a long time ago and have been cleared up. Mr. Insull has gone; he has rendered his final account, and I shall say nothing about it. But can we say that all that has been done justifies the American Government and the Senate, as a part of it, in undertaking now a policy which will inevitably strike down all the power companies, in which event we would have to substitute a national power system.

In the first place, we have always had in America the doctrine of free enterprise, and that doctrine has been revived in recent months to a greater extent than I had hoped at one time was possible. I think I will say something about that.

I am for free enterprise, not for the sake of free enterprise, but I am for free enterprise because we cannot have a free country without free enterprise. It is a keystone in the arch of American liberty.

I hear a good deal lately about "four freedoms." I have at least 44 freedoms, and I am equally attached to all 44, and do not intend to take four and let them eclipse the others. One of my freedoms is freedom of enterprise. That does not mean freedom to commit fraud; it does not mean freedom to oppress people; it does not mean freedom to take extortionate profits; but after all, it means freedom—freedom to invest money, freedom to create a business activity, freedom to conduct it within the law and with a fair regard to the welfare of your fellow men. But if we go ahead with this policy as we have been doing, some

of us consciously, I fear, and some of us unawares, if we go on much further, if we pass this bill without such a provision as I have suggested, I believe we will then pass rapidly into the period of Federal power, Federal control, and at least, so far in the first instance as the production and sale of power is concerned, we will extinguish free enterprise.

Now let us go from that to the next point. If we extinguish free enterprise at that point and substitute Federal operation and Federal power I make bold to say that then we place the Federal Government in position to extinguish all other enterprise, for if I supply your house or your city or your industry or your factory with power and I am the government, I am also a tyrant; and I do not think the tyrants in ancient days had the power that the Federal Government would have if we should destroy the present private institutions and put ourselves to the necessity of establishing an all-controlling Federal system of power. The power of taxation would be involved. The Federal Government could make such rates as it pleased, and turn the profits over to the Government. It would have the power to kill and make alive. It could establish one rate for one section and another for another, one rate for one individual and another for another. I am unwilling to move into that field.

I realize that the Federal Government is growing in its centralization by leaps and bounds. I sometimes think it is nothing on earth but the long processes of the ages, that all governments tend to centralize and aggrandize their power. But really, Mr. President, we had hoped, when we founded this Government, to avoid all those gross mistakes of the past, and erect here a fabric and a structure in which the Central Government would never have the power to control as the aristocracies and the kingdoms of the Old World did. Yet the same tendency moves within the breast of the American people that was moving in England in the days of Henry VIII, that moved in Rome under Julius Caesar, and almost into full flower under Augustus.

I often think that the men who wrote our Constitution and framed the character of this Government—I know I am telling the truth when I say it—had studied governments of all ages, and they were determined to avoid the grave mistakes that had brought about the fall of the greatest of empires and the collapse of all the little nations. They sought to create a system in which there could be no aristocracy of power, no aristocracy of right.

I take much interest in the fact that Gibbons' *Decline and Fall of the Roman Empire* was published, in its first volume, in 1787. Our Constitution was framed about the same time and was finished in 1789. There is no question that that was what Jefferson was thinking about, no question that that was what Hamilton was thinking about, no question that that was what Ben Franklin was thinking about. I shall not go into that; it is an old story. I do not think there is any question but that Alexander Hamilton, with that great brain of his, was saying,

"All right; this is a dream, but it will never amount to anything until we have a centralized government." He had looked at the history of other governments. He was attached to the idea of federalism. He is even charged with wishing to make George Washington king. If he could be living now Alexander Hamilton would say, "All right; it is being worked out as I had hoped it would be. We have the great, all-powerful central government I desired, and I am sorry I wasted my breath trying to bring it about sooner."

If we enact the proposed legislation without my amendment and leave the matter to the tender mercies of Mr. Ickes and those associated with him, we are going to have in the field of power precisely a degree of centralization which will extinguish anything like free enterprise in the power business, and I think will threaten to extinguish free enterprise in all the other fabric which is dependent, of course, upon power. We would place in the hands of the Federal Government, not a political, but an industrial sceptre which would dominate everything in America.

Mr. President, I am against that. I wish to stand here on the threshold of this process and do what I can to prevent it, and if I can do nothing to prevent it, I could die more happy thinking that I would be remembered in the day of disaster as one who did stand to resist it.

Some may think I am theorizing. I am not theorizing. The proposition is to build power dams. Let due regard be had for the fact that they are also put forward as flood-control agencies. The proposition is to build power dams throughout the country, whether power is needed or not, and then to permit the Federal Government to sell the power in competition with private companies. It is said, that is a fair game. I think it is not a fair game. It is destruction. It is practically, I should say, immoral; it is so unfair.

I should have to defend myself for making that statement. But let us assume that here at Washington a dam is built on the Potomac to prevent floods, and it creates so many hundred million kilowatt-hours of power, and there is a private company here. I suppose there is one; I do not know, but let us assume there is one. Let us assume that from that dam we transmit the power into Washington and sell it, either wholesale or retail. Then we have put the existing company out of business.

Mr. President, if you want to know why I say that I can tell you why. The Federal power dam gets its money free, its capital investment comes free. The money is borrowed, borrowed by the Federal Government. The Government pays interest, but the Federal power institution pays none, so that it gets its money interest-free.

But that is not the worst of it. Power companies in North Carolina pay a 6 percent franchise tax on their gross receipts, representing quite a source of revenue to the State, and a considerable burden on such companies, competing with one which does not have to pay the 6 percent. If that were all the story, one might get

along and tide over with it, and postpone his decision. But the private power company pays income taxes to the Federal Government on top of the other taxes. That is 40 percent of the profits. And on top of that it pays its property taxes. So that the Government-endowed company gets its money free, it is free of taxes, and yet it is put into the field of competition with the company which is operating as a private institution, paying its taxes, and under regulation by the State. I do not think I would undertake to run a business under such circumstances. I know that I would not call upon people to buy stock in a company under such circumstances. The Federal Government would have an advantage of at least 30 percent in the competitive market.

It might be said that it would be in order then for the private power company to reduce its rates to the level of those of the Government-owned company. The private power company could not do that without going into bankruptcy within a year, and if it should not reduce its rates, the consumer would buy where he could obtain power at the lowest rates, and the private power company would go into bankruptcy.

That, Mr. President, is the situation with which we are faced and that is what we are dealing with here. Unless we determine now upon a policy of live and let live, there will be in this country general destruction which will be very far reaching. I think it will go beyond the power companies and into all other industries, because there would be erected here in Washington an enormous and almost inestimable power. That is what has actuated me.

Mr. Ickes says that the Chamber of Commerce of the United States did something, and had taken a position similar to mine. I just heard Mr. Ickes' letter read at the desk. The chamber of commerce did not communicate with me about the matter. Mr. Ickes said that Governor Bricker had taken the same view. Well, who is Governor Bricker? He is one of the ablest Governors in America. He was elected Governor of Ohio three times in a row. I do not think it was at all to its discredit that his party nominated him to be its candidate for Vice President. I myself think he is a very able man and worthy to be named as nominee for that position. Governor Bricker is assumed to be for my amendment. I never heard from him in my life. I saw him but once before he came to Washington to attend the inauguration 4 years ago. Governor Bricker's stand is sprung into the situation because everybody knows about it.

Well, I have paid my respects to my dear friend the Secretary of the Interior, but I should add that that sort of thing, is perfectly characteristic of him. He cannot help it, and I forgive him on the ground that he cannot help it. I think I might preach a little sermon to the Senate on that subject. The Lord's prayer, of which I would always speak reverently, contains the expression—

Forgive us our trespasses as we forgive those who trespass against us.

I think the true rendering of that is—

Forgive us our trespasses, as we did forgive those who trespassed against us.

I was discussing that with a minister some years ago, and I hope I will not appear to be pedantic if I quote him as saying that the last "forgive" in the phrase "as we forgive" is in the Greek in the aorist tense, which means "did forgive." At any rate, I have my own interpretation of that, because when we had under consideration the question of the debts of foreign nations back yonder in 1931 and the question of forgiving those debts came up, I considered that passage of Scripture, because one rendering of it is:

Forgive us our debts as we are forgiving to those who are indebted to us.

I remember I spent one entire Sunday afternoon digging into my books. It happens that my father was a minister, and my grandfather was a minister, and I have quite a collection of theological works which I inherited from them. I am sorry I did not inherit much of their piety, but I got something from their books and their examples. I spent that Sunday afternoon trying to find out whether there was anything in the Lord's Prayer that would move me to forgive the debts owing this country by other countries. I came to this conclusion, and it has abided with me. The expression in the Lord's Prayer means to make allowances for others with respect to those deeds which they seem incapable of avoiding doing. Forgive them with respect to their temptations which they do not have within themselves the power to resist. It does not mean to forgive a man who owes me \$10, and not collect the debt. But it does mean that if an individual owes you \$10, and he cannot possibly pay it, but has made an honest effort to pay it, he should be forgiven. I think it means that if a friend of yours simply by nature is quarrelsome and offensive, and you feel that he would bite you if you get into difficulty with him, you should look into the situation, and see if that is his nature. If he has been that way always and is incurable, forgive him. We should make allowances for others as they make allowances for us. As for myself, I expect the Almighty to forgive me with respect to all those things that were too strong for me. If someone insults me and I get into a fight on the spur of the moment, if I cannot resist it, if something just takes hold of me, I think the Lord's recording angel would blot that out and say, "Well, we could not expect him to hold his peace under those circumstances. He is just that sort of a fellow, and we will call it even."

That, Mr. President, is enough for my remarks about Mr. Ickes. I do not object to his statement. I simply wish to exonerate myself. I had no communication of any kind from Governor Bricker, but if I had I would not have been ashamed of it. I think very highly of him. I think a man who has been elected governor of his State three times in a row should command the respect of the universe.

I have no objection to Mr. Ickes undertaking to attach this proposal to the

chamber of commerce. I will take an oath that I never heard of any such thing before Mr. Ickes' letter was read at the desk. I simply say that that is the way my dear friend Ickes does things. If he can put you in a bad light, or put a piece of legislation in a bad light or in such a position that folks suspect you of low-down motives, he thinks he has won an argument. I do not think he has done so at all. I think he has lowered himself in the estimation of reasonable people.

I say that in all respect to him. He and I are good friends. I went down to see him not long ago and took lunch with him, and I think he is a pretty good executive, but a mighty poor talker. I would not trust him to lead me in any matter, because he has the way of taking the notion that everyone on earth is a rascal except himself. I do not fancy that. He thinks he can convince the American people that I am a rascal. Well, I have always thought I could out-cuss him, but I was too much of a gentleman to try.

That, Mr. President, is enough for Mr. Ickes. I am sorry I became diverted from the main theme to a discussion of him. Now to return to the main proposition. If we go into this matter now and build these dams, and then authorize Mr. Ickes to take the power and distribute it to suit himself, build his transmission lines, he can shoot down any private company in America. I am not saying that private companies are perfect. I do not think we should impute to them all that Mr. Ickes would have us do. I think we should judge them not according to any individual's ideas, but judge them as we would any other person or any other corporation. I do think they are symbolic at this moment of private enterprise in America.

I will even go so far as to say that I look forward to the time when the Federal Government will no longer be begging for money on the streets and the highways of this country, as it must do now, when it will no longer be extracting money from the banks and the insurance company, whether they will or not, and that we can erect a structure here on the ruins of the old depression in which the American people can invest their savings in going concerns with the hope of seeing them grow, with the hope of good dividends, and the hope of constant expansion. But if we adopt the policy suggested we strike down the first line of defense of free enterprise.

My proposal is a very simple one. I am trying to maintain a live-and-let-live policy. I am trying so to arrange the program that the Federal Government can build dams, control floods, and sell power, and at the same time not sell it in such a way as to destroy the invaluable assets we now have in the private power companies. Some may challenge my statement that they are invaluable assets. Let us agree that here and there everything bad has been done that is said to have been done. Let us agree that there was a necessity for reform in the holding company field. That reform is behind us. It is accomplished.

The power companies came to my State about 35 or 40 years ago. We had

no coal. We had no industries. In those days it was generally understood that North Carolina would never get ahead. It was described as a valley of humiliation, with the mountain peak of South Carolina's pride—I hope I do not offend—on one hand, and the might of Virginia on the other. We had no iron, and we had no coal. It was thought, therefore, that we would never get any industries. I myself rather thought so.

While I am on my feet, let me tell a story. When I was about 24 years old I happened to fall in with Mr. D. A. Tompkins. We were coming down the mountain by the Happy Valley, to which I referred yesterday. Those were the days when we rode in hacks. He said to me, "Young man, you will live to see the day when all this country will be dotted with textile institutions. North Carolina is going to grow. We are going to manufacture our own cotton goods, and more besides; and when we get those industries we will get others."

That was in the midst of the old depression of the nineties. Some called it the Grover Cleveland depression, and others the Harrison depression; but it was my depression, at any rate. I was a victim of it. I was starting out in life, and looking about my own State. At that time the public schools of North Carolina were operating only 14 weeks in the year, and the pay of a teacher was only \$25 a month for those 14 weeks. The outlook was very gloomy. Tompkins, with the eye of a prophet, told me about the development that was ahead. I said, "Mr. Tompkins, we have no iron, and we have no coal. We are not like Pennsylvania. We are not like New England. We have no seaports. Why do you make such predictions?"

He said, "We are going to flood this State with 'white coal.'" I had never heard the expression before. I asked him what he meant. He said "electricity." He said, "What is happening by way of the building of dynamos and the transmission of power is going to bring North Carolina and the South into their own. You ought to thank God every day that you are a young man, and will live to see it."

Mr. Tompkins lived to see a part of it, but not what I have seen. Today North Carolina has 400 cotton mills, and many woodworking and furniture plants. I think we outrank Michigan in the production of furniture. In addition we have great cigarette manufacturers. We have all that, not by virtue of Federal power, not because of dams operated by Mr. Ickes. We had never heard of him then. We have it because of private power. We are realizing the blessings of white coal, which was developed by private capital, and is to this day managed by corporations under the supervision of the State. So I say that the power companies are great assets. If we had not had them, North Carolina would probably be away back yonder where she was about 1910. Let me say to my fellow Senators from the South that we have a little coal around Birmingham, and we are now developing more or less traffic by rail. We have a little steel around Birmingham; but for the most part, the

one portion of this country more dependent upon electrical energy than any other is the southern section of the country. That is not to say that we do not use coal. We use coal, but we must pay more for it than do the people near the coal fields.

In this connection, let me make a comment which may be of some interest. The Duke Power Co. in North Carolina operates a great series of dams, built under the supervision of the late Buchanan Duke; but it also operates a steam plant, which uses 700 tons of coal a day. I am told that the use of coal is just as economical as the use of water power.

On that point, let me say that if we go into this business and sell power to the public at rates less the franchise tax, less the State income tax, less the property tax, and less the Federal tax, there is no possibility that any power company can survive. I am satisfied that the Senate does not wish to destroy them. What we wish to have is a policy under which the Federal Government can build its flood-control projects and add to them, when it is reasonable to do so, power production, and then sell the power under circumstances which will permit private enterprise to live, even if the private enterprise does have the bad name of being a power company.

The only alternative is to destroy the power companies, or buy them in, as the Tennessee Valley Authority bought the Tennessee Power Co. Let the Federal Government borrow money to pay for them, centralize the power, and destroy free enterprise in the instance of power companies, and then use the centralized Federal power to control every enterprise in every section of the country.

That is the choice which we have. My amendment provides for the production of the power and the sale of it at the point of production. Everyone knows the reason for that. If Mr. Ickes is given authority to build transmission lines, he will build them into the cities and take the cream of the private companies' business at once. The private company must pay taxes. The Federal Government does not even have to pay for its money. It does not even have to pay for its losses. They can be taken out of the Treasury. That is the first point in the amendment. Then it provides for sale of the power on an equitable basis, the sale to everyone who comes, alike.

In his letter I think the Secretary of the Interior says we would be putting the rural electric lines in a bad position. That is not the case at all, Mr. President. The rural electric lines will be able to buy the power just the same as anyone else will be. The power line will be able to buy it the same as anyone else will. The amendment provides that any profits or savings shall be passed on to the consumers. Anyone else will be able to buy the power, just as he wishes, and will be able to distribute it. Of course, that will put the power in the hands of the local power companies, where they can use it, if they extend their transmission lines to the dam and get the electrical power and distribute and sell it; and we would help them to that ex-

tent, because we would build a great dam for it. But the power must be distributed in either one way or the other. We can either distribute it by means of the Federal Government, with the resultant destruction of free enterprise, or we can distribute it through free enterprise. Senators can make their choice about that. I have made mine.

Of course, there is the possibility that the power will not be sold. I have inserted a proviso in my amendment to cover that point. If under the system I have proposed the power is not sold within 3 years, the Federal Government will have a right to run a transmission line to the dam and to sell the power at wholesale. I think there may be some sections of the country where there is no demand for electrical power. There may be a demand for such power later on. I fear that there are some sections of the country in which there is a surplus of electrical power. Let us hope that will not be true later on. Let us not proceed on the theory that we have too much power. There may be a surplus at the present time in some places, but let us hope that we shall have a great abundance always. If, however, the private companies did not buy the power, or if the rural cooperatives did not buy it, then we would provide authority, after 3 years, to go into the market and to sell it at the end of a transmission line built by the Government. The power would be sold at wholesale. If we do not include a provision for its sale at wholesale, we will run Mr. Ickes right into the private power business. While I have said that he is a good Secretary of the Interior, I would not let him run any of my businesses if I could help it.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from North Carolina yield to the Senator from Louisiana?

Mr. BAILEY. I yield.

Mr. ELLENDER. Is it not true that the language which the Senator's amendment would strike from the bill provides that the power lines shall be built by the Secretary, for wholesale distribution only, not retail distribution?

Mr. BAILEY. That is correct.

Mr. ELLENDER. How can the Senator argue that under the law the Secretary of the Interior would have the right to sell the power at retail?

Mr. BAILEY. I am glad the Senator has called my attention to that language. I will read it myself. This language was in the amendment originally, but was stricken out—

Mr. ELLENDER. I am speaking of the language which the Senator seeks to strike from the bill.

Mr. BAILEY. Yes. While I have put similar language into my amendment, I was speaking of the alternatives to my amendment. I was not thinking of this special matter. But if the Senator wishes me to do so, I will state that the amendment as originally reported provided as follows:

The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be

necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

I will explain my position. I was not thinking about that alternative at all. I was giving Senators their choice between my amendment and the general alternative at which Mr. Ickes is striving. There is no question on earth but that the program in certain quarters in Washington is to put the Federal Government wholly into the power business, wholesale and retail. The pending amendment, which I do not think is an amendment of the Secretary's, was agreed upon in my absence by the chairman of the subcommittee, I think.

At any rate, Mr. President, I have undertaken to lay before the Senate the alternatives here. I have undertaken to state the terms of this problem, which now has come to the point where we must go either one way or the other. It is my judgment that unless the amendment which I have put forward here shall be adopted as the policy of our Government, in view of the great developments which we have projected, we will inevitably run into Federal power as a whole. We will destroy the free enterprise system upon which we have built the structure, so far, not only of the country but the industrial structure of our people.

I will say about the amendment that I drew it after very careful consideration. I drew it without the aid or assistance of anyone on earth. I drew it in the privacy of my office, and in an honest effort to solve a difficult problem. I put it forward here as the best that I can conceive of by way of a method of enabling the Federal Government to go on with its flood control and its incidental production of power, but at the same time to enable the private power companies and private enterprise generally to carry on without the condition of a hopeless and ruinous competition.

I submitted the amendment to the Committee on Commerce. Twelve Senators were present at the committee meeting. The amendment was very thoroughly discussed. It was altered to some extent from the original amendment which I had proposed, and I think it was altered for the better, and certainly with my approval. It was supported by the committee by a vote of 9 to 3. It stands here as a committee amendment, and has that status. I urge Senators, with all earnestness, seriously to consider it. If they take the view I have taken, I have no question as to what their decision will be.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. MURRAY. I should like to inquire whether the Senator feels that his description of the private power plants, as he finds them in his State, is generally applicable to such plants all over the country.

Mr. BAILEY. I would not know a thing about plants in the other sections of the country. I am simply using the situation in North Carolina and what I know about it as illustrative of the situation as I see it and, certainly, as having a great deal to do with my attitude.

Mr. MURRAY. Does the Senator believe that the private power plants have been a great asset in the development of industry in this country?

Mr. BAILEY. I am sure of it.

Mr. MURRAY. I am inclined to question that. I question it because of our experience in my own State of Montana. In Montana we have a power monopoly, controlled by the Montana Power Co. The Montana Power Co. was organized by means of grouping a number of smaller plants, and thereby obtaining control of the entire power industry of the State. In organizing that power monopoly, in each instance after a plant was acquired it was turned in at a very highly inflated value. The result is that the stock of the Montana Power Co. was inflated way beyond anything within reason. Then, later on, the Montana Power Co.'s controlling interest was taken over by the American Power & Light Corporation, and subsequently the control of the American Power & Light Corporation was taken over by the Electric Bond & Share Corporation. Each of those holding companies has also undertaken to milk the State of Montana, requiring the maintenance of excessive power rates.

As a result of this monopoly in our State, we find that it retards industrial development and business growth. As the result of this situation, we find that in our State no new industries are being developed and no business of any kind is growing, and the State has been witnessing a gradual loss of population. Every census taken during the last 40 years has shown a decline in population. This is all because of the fact that this power company monopolizes the production and sale of electric power in our State, holds up the rates, and prevents new enterprises from developing because they cannot afford to operate on the basis of the rates charged by the present company.

Mr. BAILEY. Mr. President, allow me to say to the Senator from Montana—

Mr. MURRAY. Only recently there came to my attention—

Mr. BAILEY. Is the Senator making a speech or asking a question?

Mr. MURRAY. I am merely trying to explain the situation existing in Montana as compared with the situation which the Senator has described with reference to the State of North Carolina. I admit that if all the States in the Union were in such excellent condition as that claimed by the Senator from North Carolina for his State, I do not believe there would be much opportunity for me to make an argument against him in this matter. I am inclined to think that if conditions in North Carolina are exactly as the Senator states, they do not apply to the country as a whole.

Mr. BAILEY. Allow me to say to the Senator from Montana that there are no

conditions in North Carolina with respect to power which could not be made applicable in any State if the State knew what to do. I should be the last to suggest that Montana, represented here as it is by its senior Senator and the junior Senator, would not know what to do.

During a long life I have never heard of any industries leaving North Carolina or failing to come to North Carolina because of power rates. Power rates are low. But I have known of one great company which refused to go to another State because of the character of its politics. I suppose that politics in Montana are on a high level. I would not suggest anything to the contrary. But when the Senator gets into an argument as to why one State is growing and another is not, I do not think he can hold his ground that power companies are keeping the States from growing. Power companies grow by selling power, and most of them of which I have heard were trying to get industries to come into the State and consume power. It is a well-known principle that the more power there is to sell the lower the price of the power will be, and the greater will be the volume consumed. The principle applies with respect to power, I believe, even more than it does with respect to automobiles and other commodities. The volume has a great deal to do with the rate. Every time we reach a new peak volume in North Carolina we have a new dip in the rates. The rates are under the supervision of the State. We are not afraid of the power companies in North Carolina. We control them. We take 6 percent of their gross income to start with, and even then we obtain low rates.

Mr. MURRAY. The Senator makes what sounds like a logical argument. It may be true that in his State the situation can be controlled, and reasonable rates maintained but it is entirely different in Montana and, I believe, in many other sections of the country as well.

Mr. BAILEY. I will not dispute the Senator with regard to that point, but God forbid that the time shall ever come when I stand as a Senator from North Carolina, and say that my State is not capable of dealing with any situation presented to it. I am not saying that the Federal Government should manage matters in North Carolina. If I had to do that I believe I would ask that the State be made a Territory.

Mr. MURRAY. I am not undertaking to dispute the Senator with reference to the manner in which problems are handled in the State of North Carolina. I am merely saying that as the result of a monopoly which exists in Montana, and the failure to develop adequate power and sell it at low rates, we are witnessing a decline in population and a failure to obtain new industries. Not only has the power monopoly to which I have referred failed to go forward and develop, and provide cheaper power, but as the Federal Government has undertaken to develop cheap power in Montana at Fort Peck and the Polson Dam the monopoly has been able to grab it and prevent the State of Montana from obtaining benefit from it. It is a subject which the senior Senator from Mon-

tana [Mr. WHEELER] was undertaking yesterday to explain. I believe that before the debate on the subject has been completed he will probably discuss this matter more fully.

Mr. O'MAHONEY. Mr. President, an amendment has been submitted and is lying on the desk. It deals with several matters involving the pending legislation. It deals, for example, with section 6 of the bill as reported by the Committee on Commerce, with section 8 of the bill, and with the provisions beginning on page 20 and continuing to page 21 with respect to the Missouri River Basin. It perhaps deals also with one other section.

In addition, Mr. President, there is an amendment which undertakes to deal with the protection of local rates in the planning of projects and in the distribution of water.

The sponsors of this amendment are hoping to have a conference this afternoon or tomorrow with a view to working out an agreement with the committee.

Inasmuch as it appears likely that the remainder of the afternoon will be devoted to matters which are now pending, and which have not been decided, I ask unanimous consent that the specific amendments to which I have referred go over until Friday.

Mr. OVERTON. Mr. President, reserving the right to object, do the suggestions of the Senator and the amendments to which he has referred relate in any way to the Connecticut River Basin?

Mr. O'MAHONEY. Yes; one of them does.

Mr. OVERTON. I was hopeful that we might possibly dispose of the Connecticut River Basin proposal this afternoon.

Mr. O'MAHONEY. I doubt whether it can be disposed of this afternoon, because, as I have said, the Senator from Vermont [Mr. AUSTIN] has been in conference with the sponsors of the amendment, and it is an integral part of the pending proposal.

Mr. OVERTON. Mr. President, I have no objection.

Mr. AIKEN. Mr. President, may I ask to what amendments the Senator is referring?

Mr. O'MAHONEY. I am referring to the amendments which I asked to have printed, and which are lying on the desk. The amendments were offered on behalf of the senior Senator from Vermont [Mr. AUSTIN], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Missouri [Mr. CLARK], and other Senators.

Mr. AIKEN. Is one of them the so-called O'Mahoney amendment?

Mr. O'MAHONEY. Yes; the O'Mahoney-Millikin amendment.

Mr. AIKEN. To when did the Senator ask that the amendments go over?

Mr. O'MAHONEY. Until Friday. I understand that there is to be no session of the Senate tomorrow.

Mr. WHITE. Mr. President, in asking that the amendments go over until Friday, is there implied any understanding

that a vote will be reached on them on Friday?

Mr. O'MAHONEY. Oh, no. I merely did not wish to have the amendments taken up for consideration today.

Mr. OVERTON. There is, however, a fervent hope on the part of the senior Senator from Louisiana that we may vote on them on Friday.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wyoming that the amendments to which he has referred be passed over until Friday? The Chair hears none, and it is so ordered.

Mr. ELLENDER. Mr. President, I rise in opposition to the amendment proposed by the distinguished Senator from North Carolina [Mr. BAILEY]. I followed his speech very closely in respect to his contention that the adoption of the policy contained in the committee amendment is a forerunner to the destruction of private enterprise. I cannot quite agree with him. The production of power from falling water in connection with flood control and navigation should by all means be carried out by the Federal Government. It is a large, intricate, and expensive undertaking and if left to private enterprise I entertain the view that little, if any, of our huge water resources would be adequately developed. It is necessary that our efforts be coordinated in that direction so as to properly develop that source of power. If left to private enterprise, profits, instead of a preservation of our natural resources, would be the motive, and I know that many feasible projects would remain undeveloped.

As I pointed out to the distinguished Senator from North Carolina a few minutes ago, under the original committee amendment the Secretary of the Interior is merely empowered to build lines so as to facilitate the distribution of power in wholesale quantities and not retail. Existing distribution systems by retail will be afforded the opportunity to tap such Government lines as may be built from the source of the power to points of distribution for retail. I repeat, and please bear in mind, Senators, that the original committee amendment does not authorize the building of power lines by the Government for retail distribution.

Mr. BAILEY. Mr. President, I wish to apologize to the Senator who is speaking and to the Senate. I must leave the Chamber to take a little lunch, and will be right back.

Mr. ELLENDER. Mr. President, when T. V. A. was created by the Congress I was not privileged to hold membership in this body and I was therefore not afforded the opportunity to vote for such a project. Since taking office I have always supported the T. V. A., because I believe it to be most essential for the preservation of our oil, coal, and other power resources for future generations. The power developed by T. V. A. from our water resources during this war has saved tons of oil, coal, and other power-producing resources and, may I add, the lives of hundreds of our boys. That power made it possible for us to prepare for war in a very short period.

Mr. President, I wish to state now that I propose to work for and fight for the establishment of other T. V. A.'s throughout the Nation. My hope is that a gigantic plan can be inaugurated and coordinated so as to make electricity available to all citizens in every section of our country. Such a plan cannot be carried out by private capital. Such a plan must be given national scope with a view of preserving our dwindling oil and coal resources. I firmly believe that if we should utilize falling water to generate electric power we could preserve under ground oil and coal in vast quantities for the protection of generations unborn. If properly developed, I can foresee our main railroad trunk lines powered by electricity generated from our water resources. I can see our major industries powered with cheap electricity. That, Mr. President, can be done only if we have a master plan to go by under Government supervision and with Government aid. My hope is that private industry will undertake to distribute by retail most of the power that will be developed with Government funds.

Mr. President, I do not intend to further elaborate on the advantages of power development by the Federal Government, but I shall discuss the pending amendment.

In my humble opinion, the so-called Bailey amendment, if adopted, would destroy a fixed policy which has been established by the Congress for over 40 years, and which has made it possible to distribute cheap electricity to many of the people of the United States. The amendment restricts the sale of Government power at the source, which is contrary to the public-owned power policy repeatedly declared by the Congress. Section 5 of the bill, as it is now written, provides that the Secretary of the Interior shall have the power to build lines, not to distribute electricity direct to the consumers but on a wholesale basis, so that all distributors, whether private or quasi-private or Government owned, will have an opportunity of purchasing electricity for distribution to the ultimate consumer.

As I view the Bailey amendment, this is what would occur: The Federal Government would spend millions of dollars to develop electric power and then leave it to private industry to tap it at the source, purchase up to 90 percent of capacity, and then control the distribution of the electricity generated. If the policy prescribed in the Bailey amendment were to prevail at Bonneville and at Grand Coulee, it would be impossible for the cooperatives of the Nation to distribute any of the electricity produced at those dams, for the simple reason that the Grand Coulee is located almost 95 miles from appreciable habitation and Bonneville 45 miles. Under present conditions the cooperatives have much difficulty in borrowing sufficient funds to distribute electricity to customers near their source of supply. If they had to spend enormous sums in order to transmit electricity for from 45 to 95 miles, Senators can readily see that many farmers and many small communities which are now not furnished with elec-

tricity would continue to be deprived of it.

On the other hand, if the Bailey amendment were adopted the Secretary of the Interior would have to wait 3 years before he could make any move. Listen to the language, and I quote from page 3, beginning on line 6, of the printed amendment:

Provided, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

In other words, it is conceivable that a plant may remain idle 3 years before the Secretary can make a move. He must allow private industry 3 years so as to decide whether or not it will utilize at least 90 percent of the power developed. Should private industry exercise the right, then cooperatives would be excluded from using cheap, Government-owned power. That, I am certain, is not desired by the American people.

Mr. AIKEN. Mr. President, does the Senator understand that if a private concern is willing to build a line to a dam and take the power there would be any control over the resale price of that power, except to say that the benefits of the dam should be passed on? For instance, if power is produced and the wholesale price, we will say, is a cent and a half, but because of the dam it can be produced for a cent, that means that the price might be reduced from 14 to 13½ cents per kilowatt-hour, but there is no assurance that the consumers would really get the benefit of the dam, is there?

Mr. ELLENDER. No, but the Bailey amendment would be subject to the same provision as that which is now contained in the bill, and that is that it would be under the control of the Federal Power Commission.

Mr. AIKEN. Does it say that the Federal Power Commission shall fix the rates? I do not so understand it.

Mr. ELLENDER. On page 4, in line 21, section 5, as modified by the Bailey amendment, it is provided—

the rate of schedules to become effective upon confirmation and approval by the Federal Power Commission.

Mr. AIKEN. Is that in any State or simply in those States that have no public service commissions of their own?

Mr. ELLENDER. As I interpret the language I think it applies to all electricity sold by the Government, whether under the amendment as written or under the Bailey amendment. If the Senator will look at page 4 of the pending bill beginning with line 21 he will find the words:

The rate schedules to become effective upon confirmation and approval by the Federal Power Commission.

That language remains in the bill even with the Bailey amendment, and applies with equal force.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HILL. I think the Senator ought to take in connection with the provision

he has read the provision of the Bailey amendment on page 3, line 2, beginning with the word "It", which reads:

It shall be stipulated in connection with any sale that any and all savings realized by the purchases shall be passed on under Federal regulation where no State regulation exists, to the consuming public.

I think that provision nullifies, so far as any practical effect is concerned, any provision about the Federal Power Commission.

Mr. ELLENDER. The Senator may be correct. As I understand the language just quoted by him, it relates to savings made and not to rates.

Mr. AIKEN. Mr. President, under the Bailey amendment the Federal Power Commission has to approve the rate schedules fixed by the Secretary of the Interior, but I do not see that the Federal Power Commission has to approve the rates charged the consumer.

Mr. ELLENDER. The Senator may be correct about that. However, I desire to point out and emphasize that the Federal Power Commission will have the same power if the Bailey amendment is adopted as it would have if the original committee amendment were adopted by the Senate, insofar as rate making is concerned.

Mr. AIKEN. It looks to me as if the Bailey amendment nullifies the provision of the bill which the Senator has just read.

Mr. ELLENDER. Mr. President, as I have said—and I desire to emphasize it—if the Bailey amendment is written into the bill as it is now framed and pending before the Senate it would be possible for the Federal Government to build a project and for it to remain idle for 3 years. I do not believe any of us want that to happen. I do not believe the people of this country desire to have the Federal Government build these projects, at enormous expense, and then let the power generated at the dams be utilized solely by private concerns.

The third and last objection I have to the Bailey amendment is that it is in some respects contradictory in terms.

Mr. HILL. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield for a question.

Mr. HILL. Does not the Senator think that the Bailey amendment would put the Federal Government absolutely at the mercy of the private power companies? And when I say at the mercy of the private power companies, I call attention to the fact that there is no competition between private power companies, so far as the purchase of power and the distribution of power are concerned. They all work right together, and I wish to be fair and say that in many respects they have to work together. They have what we used to call in the old days the gridiron system. There may be a private power company operating in an area where the Government has built a dam, and no farm cooperative can go there, because there is no provision for transmission lines. So the Federal Government, unless it wants this power to go over the dams and be wasted for 3 years at a time, is abso-

lutely at the mercy of the private power company as to what it will pay for the power.

Mr. ELLENDER. The Senator is correct and I have tried to make that point clear on several occasions during the course of my remarks.

Mr. HILL. We saw that at Muscle Shoals, at the Wilson Dam, after the last war. We recall how the power there was sold at 2 mills a kilowatt-hour, which was a very cheap rate at that time, and that it was sold to the consuming public for 5 or 6 or 7 cents a kilowatt-hour. There was no competition there at that time, and the Government was absolutely at the mercy of the private power company. It had to take what the company asked or permit the power to go to waste, with consequent loss to the Government.

Mr. ELLENDER. Mr. President, the third objection I have to the Bailey amendment, as I indicated a few minutes ago, is that it is in some aspects contradictory in terms. The amendment as originally adopted by the committee provides on page 4, line 23, of the bill, that—

Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

That language will remain in the bill should the Bailey amendment be adopted.

Now the Bailey amendment provides:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination.

The power shall be sold without special privilege or discrimination.

In other words, in the same section we have language to the effect that preference in the sale of power and energy shall be given to public bodies and cooperatives, and following that language we have the Bailey amendment language, which states that—

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination.

Now, Senators, which language would prevail? There is certainly a contradiction and my guess is that private concerns would be in a position to purchase power to the exclusion of cooperatives.

My hope is that the Senate will vote down the pending amendment. As I indicated at the outset, I do believe that the Congress should provide for the development of electric energy from falling water so that all citizens can obtain cheap electricity and so that we can preserve for future generations our oil, coal, and other natural resources.

Mr. DOWNEY. Mr. President—

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The Senator from California.

Mr. DOWNEY. Mr. President, it is my intention to vote against the pending amendment, and while I have no desire to make an extensive argument upon it, I wish briefly to express my views. While I do not wish to reply at length to the eloquent argument of the Senator from North Carolina [Mr. BAILEY], I do want

to say emphatically that I cannot agree with him in his contention that the extension of public power will imperil free enterprise in the United States. As a matter of fact, in the State of California we have seen a wide development of private enterprise directly because of the extension of public power, and I have no doubt that the continued development of power in California, both private and public, will further advance business and free enterprise.

The proposed amendment now pending would give large advantages to private utilities over cooperatives and public agencies in the purchase and utilization of public power. As a matter of fact, Mr. President, the portion of the proposed amendment which has been offered by the Senator from North Carolina would directly nullify the first part of the amendment which is now in the bill, and which would remain in the bill under the proposed amendment. The wording to which I refer is as follows:

Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

I take it that that is a principle of law on which all of us are agreed, that in these public-power projects, where public money is used, public agencies and cooperatives should be given the advantage in the purchase of the power. At least that sentence remains in the amendment. But in spite of that fact, the portion of the amendment now suggested by the Senator from North Carolina would prevent cooperatives and public agencies generally from competing on equal terms with private utilities, because it will be seldom, indeed, that any cooperative, any city, any public agency can build transmission lines from their point of consumption to one of these power dams to be erected. Private utilities, of course, can build such transmission lines. So the principal effect of the amendment would be that for 3 years, cooperatives and public agencies which should have preference, and to which we desire to give preference, would be denied equal opportunity with private utilities to purchase the power at the dam site.

Because, Mr. President, the proposed amendment would entirely nullify a beneficial principle of our law, that in public power projects cooperatives and public agencies should be given the advantage, because it directly gives to private utilities an advantage, which I think is totally unfair, it is my intention to vote against the pending amendment.

Mr. MAYBANK. Mr. President—

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The Senator from South Carolina.

Mr. MAYBANK. It is not my intention to make any lengthy remarks on the pending amendment, but it will be my purpose to vote against it for many reasons. It is well known to the people of South Carolina that were it not for the public power projects in our State, established with the assistance of the Federal Government, many of the industries now operating in South Carolina would not be there, and much of the war work which has been done at the Charleston Navy Yard and elsewhere would not have

been accomplished. Mr. President, furthermore, were it not for the excellent cooperation and work of the Department of Agriculture, the Interior Department, and of the Committees on Appropriations and Agriculture, in the extension through Federal funds of rural electrification, which has brought about cheap public power and no line charges, our farmers to a large extent would still be in the dark and their incomes low.

I am hopeful that future Congresses will continue Federal assistance and aid to the States for power development, direct as well as indirect, so that the farms of our State, from one end to the other, may be lighted at cost, and so that industries and others desirous of cheap power from the waters which flow through our State, may be the beneficiaries.

Mr. LANGER. Mr. President, I believe on a question so fundamental as this we ought to have the yeas and nays. I therefore ask for the yeas and nays.

Mr. BARKLEY. Mr. President, I should like to ask the Senator from Louisiana [Mr. OVERTON] if he is going to try to dispose of this amendment today.

Mr. OVERTON. I hope to dispose of it today.

Mr. BARKLEY. If it is going to be voted upon I desire to make some remarks concerning it. If not I should like to postpone my remarks until Friday. I have no desire to delay consideration of the amendment.

Mr. OVERTON. I should like very much, I may say to the Senator from Kentucky, to have the amendment voted on today.

Mr. BARKLEY. Does the Senator from North Dakota wish to speak now?

Mr. LANGER. No; I do not wish to speak now, but I ask for the yeas and nays on the amendment.

Mr. BARKLEY. I join in that request.

Mr. OVERTON. I should like to make a brief statement in reference to the amendment and then the Senator from Kentucky can close, or he can proceed, and I can make a closing statement after he has concluded.

Mr. BARKLEY. It does not make any difference to me.

Mr. OVERTON. The Senator from North Dakota has the floor.

Mr. BARKLEY. If it is all right with the Senator I will proceed now and say what I have to say.

Mr. LANGER. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. BARKLEY. Mr. President, I wish to make a brief statement in regard to this amendment. I am sorry the Senator from North Carolina [Mr. BAILEY], the author of the amendment, has found it necessary to leave the Chamber. I always regret the necessity, when it is a necessity, of disagreeing with the able Senator from North Carolina. I think he knows that there is no Member of this body for whose ability and for whose honesty and integrity I have greater respect than I have for his. I do not take the attitude which I am taking on this amendment because of what Mr. Ickes has said in his letter to me, although his

letter has fortified me in my opposition to the amendment. I do not take the position I take because of any statement on the part of Governor Bricker. I have disagreed with Governor Bricker concerning many things in recent months. I do not thereby express any disrespect for him or his right to entertain his views on general political matters about which no one expected me to agree with him. While I have great respect for the ability and the power of the United States Chamber of Commerce I have found myself sometimes in disagreement with them and sometimes in agreement with them. But I am not actuated in my attitude on this amendment by anything the United States Chamber of Commerce or Governor Bricker or anyone else has said. I am actuated by my belief that the adoption of this amendment would be a serious mistake on the part of the Senate of the United States, and I have in a modest way been identified with the development of power legislation in the United States during the past 32 years.

For a long time the activities of Congress in regard to our rivers were limited to navigation. It was a wise provision which our forefathers inserted into the Constitution, giving the Congress the power to regulate the commerce among the States. That provision grew out of disputes among the Colonies prior to the adoption of the Constitution following the conclusion of the Revolutionary War, during that interim period when many of the States engaged in quarrels among themselves concerning the regulation of commerce among the States and Colonies and the navigation of or control of the navigation of rivers.

I recall that the Legislature of New York, for instance, adopted a measure prohibiting the importation of firewood from Connecticut in order to compel the people of New York to burn their own wood, and they also passed a law prohibiting the importation of vegetables from Maryland and Virginia in the interest of home industries, and the States of Maryland and Virginia became involved in an acute quarrel over the navigation of the Potomac River, and came almost to armed conflict over it. The result was that there was held a conference in Annapolis to try to adjust that difference between Virginia and Maryland, and that little conference resulted in the Convention in Philadelphia which wrote the Constitution of the United States, and having in view the experience of the States prior to its adoption, the authors of that document wrote into it the provision which gives to Congress the power to regulate commerce among the States.

Congress did not exercise that power for 100 years, for while the Constitution was written in 1787, the first act to regulate commerce was passed in 1887.

I think we have all come to realize that in the complications of modern life there is of necessity a growing tendency, which has taken on, it seems to me, the attitude of compulsion, that as the years go by the Federal Government must deal constantly more and more with problems which are national. It would be inconceivable that two States in the Ameri-

can Union should be allowed to quarrel over the navigation of a river, or that one State should be allowed to prevent the importation into its boundaries of commercial articles from another State. So that when Congress finally decided that the time had come when we should inaugurate commerce among the States by the navigation or the improvement of the navigation of our rivers, which had been provided for by the commerce clause of the Constitution, we first dealt with the question purely from the standpoint of navigation, deepening the channels and improving the harbors, so that more ships could come into our ports and go out of our ports in the commercial activities of the growing Nation. When that policy was first adopted very little attention was paid to flood control or to electric power. These things were incidental for a long time until the passage of the Federal Power Act, which made no provision whatever for any power that might be generated by dams constructed for navigation purposes.

As the electric age advanced and electricity became a more important factor in our industrial and social life, we began to recognize the fact that while we were building dams for navigation purposes we might as well take care of whatever incidental power might be created by the construction of the dams while under construction. That saved expense both on the part of the Federal Government and on the part of private individuals who desired to embark upon the construction and operation of dams. The two things had to be coordinated, because it would have been unwise if not foolish to have the Federal Government building dams across rivers purely for navigation purposes and then have other dams built in the same vicinity for power purposes or for flood control. So gradually we came to coordinate navigation, electric power, and flood control in the development of our policy toward the improvement of our navigable streams.

I have no quarrel, and I have never had any quarrel with honest industry of any kind. I have no desire to do it any injustice; and I do not believe that my record in the Senate and in the other body over a period of years would justify any complaint that I have ever attempted to do an injustice to business of any kind, especially if it is honest business. I do not think it is possible to do an injustice to dishonest business. If it is dishonest, the only just thing is to curb it. I believe in honest business; and if I know what we are talking about when we talk about free enterprise, I believe in that.

I have not yet heard an exact definition of free enterprise. I do not know where to draw the line between freedom and slavery as applied to enterprise. I do not believe in the freedom of any kind of enterprise, big or little; to do as it pleases, to drive out competition, and to engage in unfair practices. As business has become Nation-wide in its complications and ramifications, we have found it more and more necessary to regulate it by the only power which the Constitution recognizes as having the authority and jurisdiction to regulate commerce

among the States; namely, the Congress of the United States.

Our rivers were not made by us. They were not made by any corporation. They were not made by any private enterprise, free or otherwise. Those rivers constitute a part of the great body of natural resources which belong to the American people, and they ought to be developed for the benefit of the American people. If no one, aside from the Government of the United States, has either the power, the financial strength, or the inclination to develop them for the use and service of the American people, I do not choke at any reasonable measure designed to harness those forces of nature for the benefit of the American people.

We know that the development of our resources on a comprehensive scale is a tremendous problem. It has never been undertaken by private enterprise on a very comprehensive scale, and in the very nature of things it could not be. If we had relied upon private enterprise, free or otherwise, Boulder Dam would not have been constructed for the benefit of the people of California and the other States in the Colorado River Basin. That dam was constructed long before Mr. Ickes became Secretary of the Interior. The policies laid down by the Federal Government for the control of the waters of the Colorado River by the construction of the Boulder Dam were laid down by the Congress of the United States long before Mr. Ickes was ever connected with the Federal Government.

If we had relied altogether on private enterprise the Roosevelt Dam would never have been constructed. As I recall that dam was built even before 1912, when Mr. Ickes was a Republican, or a Progressive. At least he was a follower of Theodore Roosevelt. That dam was built in the administration of Theodore Roosevelt, and was named after Theodore Roosevelt. The law governing the disposition of its resources was laid down by Congress when Mr. Ickes was a follower of Theodore Roosevelt, and not of Franklin D. Roosevelt. I mention these facts because Mr. Ickes' letter seems to have formed the basis of a large part of the speech of the Senator from North Carolina [Mr. BAILEY]. A moment ago I referred to the fact that the Senator had been compelled to leave the Chamber. I am glad to see that he has now returned to the Chamber. The Roosevelt Dam was constructed long before Mr. Ickes had anything to do with the Government of the United States, and the policy was laid down by the Congress of the United States before I ever heard of Mr. Ickes, and before he supported Theodore Roosevelt in the Bull Moose campaign of 1912.

If we had relied upon private enterprise alone, the Grand Coulee Dam and the Bonneville Dam would never have been built, and the Tennessee Valley would never have begun its development. There was an application by a private concern to build a dam on the Tennessee River near the Kentucky-Tennessee line. There was grave doubt in the minds of those familiar with the project as to whether even that one dam would

ever be built by that private corporation. It was never even begun; and when the Tennessee Valley Authority was created, not having any desire to have divided authority in the Tennessee Valley, with the Government building some of the dams and private corporations building others, the Tennessee Valley Authority entered into an agreement with this private corporation, which had never started construction of the dam, although it had made some surveys as to where it ought to be built. Finally the T. V. A. had to move it down the river several miles in order to find an appropriate place to construct what is now the Kentucky Dam on the Tennessee River, which is the largest and last dam in the Tennessee Valley, and is now nearing completion.

So if we had been required, in order to develop a water-power policy to harness the great resources of our rivers—and they are just as much natural resources as coal and iron, or the soil itself—such development never would have been realized.

We have not relied altogether on private enterprise to develop our country. We did not rely to any great extent on private enterprise to create a farm program for the benefit of the farmers of the United States. We have not relied on private enterprise to start in motion the conservation of our soil in order that we may not hand down to generations yet unborn a nation so impoverished that they cannot make a living upon the land.

We have not relied on private enterprise to deliver mail over this country. The delivery of mail is not a natural resource. The Post Office Department is simply a department of government, but it is not a natural resource. Our rivers are natural resources. The Post Office Department belongs to the people because Congress has created it for the benefit of the people; but the rivers belong to the people without any act of Congress. They are by nature the inheritance of the people, and the people have a right to expect their Government to develop them for the use and benefit of all the people.

So while I am as much in favor of free enterprise as is anyone else, if I know what free enterprise is, I am not in favor of making it so free that it will be free to do nothing, or free to do anything it may see fit to do in order to carry out its own program.

I am not saying that in criticism. The Senator from North Carolina has referred to private power companies. I have no quarrel with them. A few years ago the State of Kentucky came under the blighting influence of the Insull institution, to which the Senator referred, and out of the debacle of the Insull empire came the Kentucky Utilities Co., which now serves many cities in Kentucky, but it is completely separate from the former Insull enterprises and enjoys its own corporate existence at this time. By the way, it has entered into contracts with the Tennessee Valley Authority for the use of power generated by the Tennessee Valley Authority. There has been no serious quarrel between the Tennes-

see Valley Authority and the Kentucky Utilities Co., because it has been willing to take power from the Tennessee Valley Authority, and is taking power from it, for the benefit of the consumers of electricity in the various cities where it furnishes power.

The policy which has been in progress ever since 1906 has been one by which Congress has made an effort to coordinate the improvement of our river valleys and the resources which may be developed by improvement, for the benefit of industry and agriculture and also of the private consumers of electric power. Under the bill as it has been reported by the committee—I do not recall whether the pending amendment was offered in the committee; I am not a member of the committee—

Mr. BAILEY. Mr. President, it was offered in the committee after the bill had been reported. I was absent when the original amendment came up. My amendment was authorized by a vote of 9 to 3 to be reported as the committee amendment.

Mr. BARKLEY. Very well. I was not clear about what happened in the subcommittee.

Mr. BAILEY. I think the chairman of the subcommittee may make a statement about that.

Mr. BARKLEY. The provision in the bill which was originally framed by the committee is identical with the amendment offered by the Senator from North Carolina, down to the word "cooperatives," in the last line on page 4. In order that we may understand the difference between what it provides and what is provided by the amendment the Senator from North Carolina has offered, I shall take the liberty of reading the entire section:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

Then it goes on, and provides—

The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

The Senator from North Carolina proposes to strike out all of line 25 on page 4, and down to and including line 7 on page 5, and to insert the following:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments,

both private and public, in the area, contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. President, I am assuming that these dams must be constructed in order to accomplish flood control, which is the object of the bill. I do not agree with the statement of the Senator from North Carolina that in the construction of the dams and improvements in order to provide simultaneously for the possibility of the use of power and the prevention or control of floods the cost will be greater than the original cost of the flood-control project itself would have been.

Mr. BAILEY. Mr. President, let me interrupt the Senator from Kentucky, please.

Mr. BARKLEY. I yield.

Mr. BAILEY. It has been stated by the engineers, I believe, that a dam 100 feet high, for instance, can be built for flood-control purposes, but that if power is desired, and especially if primary power is desired—I am sure the Senator knows what I mean by that expression; I refer to constant power or what is otherwise known as primary power—a higher dam must be built. Sometimes the dam must be built 30 feet or 40 feet or even 50 feet higher. The engineers do not hesitate to say that they are building the dams higher in order to be sure of obtaining primary power. It is not done in order to be sure of having flood control.

Mr. BARKLEY. I appreciate the fact that in order to obtain power it is necessary to build some of the dams higher than they would be built merely for the purpose of flood control. But the adding of 30 or 40 feet to a 100-foot dam certainly would not cost as much as the original dam would cost, for the foundations would already have been built.

Mr. BAILEY. I myself would not say that. But if the Senator will look into the matter he will find that we used very moderate figures by way of illustration.

Mr. BARKLEY. I understood the Senator to say that the construction of the dams for power purposes could cost twice as much as their construction for flood-control purposes would cost.

Mr. BAILEY. That is true in some instances.

Mr. BARKLEY. It may be true in some instances, but I do not think it can generally be maintained that the construction of dams for power purposes would cost twice as much as would their construction for flood-control purposes only, although I grant that in some instances that may be so. Of course, we are dealing with the situation as a whole.

Mr. SHIPSTEAD. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator

from Kentucky yield to the Senator from Minnesota?

Mr. BARKLEY. I yield.

Mr. SHIPSTEAD. Of course, if a dam is built higher in order to yield power, it will yield an income.

Mr. BARKLEY. Oh, yes.

Mr. SHIPSTEAD. If it is built merely for flood-control purposes, there will be no income, although of course there will be the possibility of prevention of destruction by floods or the flow of water.

Mr. BARKLEY. Of course, the building of a dam higher than is necessary for flood-control purposes may result in many incidental benefits. For instance, the higher the dam, the larger the lake of water impounded, and such a lake may be used for navigation or in some instances for irrigation and reclamation, and in other instances it may be used for recreation.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I should like to suggest to the Senator from Kentucky that the statement he has just made is not always true. It may be true in certain instances. I should like to cite an instance which occurred in Missouri, not at a Government-owned dam or a Government-owned reservoir but at a privately owned dam. A very high dam had been built for power purposes. It was operated for power purposes rather than for flood-control purposes. Because it was operated for power purposes the reservoir was permitted to be filled with water so as to make a great lake. Then we had some very unusually heavy rains in Missouri. Because the reservoir had been filled for power purposes, a 12-foot head of water was permitted to go down the Osage River. It caused tremendous damage not only on the lower Missouri River but also on the Mississippi River, and even as far along as at the Senator's home town of Paducah, and as far as Cairo.

Mr. BARKLEY. Let me inquire where that dam is located.

Mr. CLARK of Missouri. The dam is at Bagnell, Mo., on the Osage River.

Mr. BARKLEY. Then the water did not pass my town, because my town is on the Ohio River.

Mr. CLARK of Missouri. But the result was to back up the water in the Ohio River.

Mr. BARKLEY. Of course, a rise in the level of the water in the Mississippi retards the flow of water in the Ohio River.

Mr. CLARK of Missouri. Very well. That is exactly what I am trying to tell the Senator. It not only caused damage on the Osage, on the Missouri, and on the Mississippi, but I have been informed that it backed a great deal of water up on the Ohio River.

Mr. BARKLEY. That may be true.

Mr. CLARK of Missouri. That was not a Government-owned dam. I am not suggesting that it was. It was a privately owned dam, operated for power purposes instead of for flood control. It is my intention at the proper time to offer an amendment to the pending bill to put both publicly owned and privately

owned dams under the control of the Corps of Engineers of the Army to the end that the dams shall be properly supervised.

Mr. BARKLEY. I have no doubt that there are isolated instances of the construction of a dam resulting in damaging the property of many persons.

Mr. CLARK of Missouri. That very thing occurred in connection with a publicly owned dam.

Mr. BARKLEY. I am saying that by and large, whether the dam be built for flood control, navigation, or power, the program carries with it incidental benefits.

Mr. CLARK of Missouri. Yes; incidental benefits and incidental injuries.

Mr. BARKLEY. Which may not be the primary object of the construction of the dam.

Mr. CLARK of Missouri. Exactly the same thing has occurred elsewhere. I have been informed that it occurred with reference to the so-called Pensacola Dam in Oklahoma, which was a publicly owned dam operated by the Interior Department.

Mr. BARKLEY. I do not contend that any law passed by Congress may not ultimately do someone an injury. I do not suppose there is a Federal statute on the books which cannot now and then be administered in such a way as to do someone an injustice. I am speaking about the program as a whole.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHEELER. The fact that a dam is built does not necessarily mean that it is built for power purposes. The dams under consideration are to be built for flood control. If the water backs up behind a certain dam and some of it can be used for power purposes, or for irrigation, or reclamation, then it will be used for such purpose. I do not understand that all the dams to be constructed are to be used for power purposes.

Mr. BARKLEY. That is the point I have tried to make. The dams will be built, anyway. It would be ridiculous to build a dam purely for flood control or navigation and not equip it for all incidental benefits, such as the utilization of water for power, reclamation, and irrigation. In other words, it would be stupid to indulge in the expense of building a dam for flood control and later build one for power, irrigation, or navigation.

Mr. WHEELER. Mr. President, I invite attention to the Fort Peck Dam. The dam was not built for power purposes. If it had been built for power purposes the engineers would probably have built a different type of dam. The dam was built for the purpose of flood control, navigation, irrigation, and whatever power could be obtained from it. The dam will not produce a tremendous amount of power. But those in charge of the construction of the dam did not say that it was to be built a certain height for power purposes. They merely said that whatever power could be developed from it would be developed and used for the purpose of attempting to bring into the area new enterprises, or for irrigation.

If, as I have said, they had been building the dam for power purposes they would probably have built an entirely different type of dam, and would have built it much higher. So the cost of building the Fort Peck Dam for the development of power was comparatively small because only one turbine and a few items of that kind were installed. The cost of installing those items represented but a very small addition to the original cost of building the dam.

Mr. CLARK of Missouri. Mr. President, will the Senator from Kentucky yield to me in order that I may reply to the Senator from Montana?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. I was a member of one of the first delegations which ever talked to the President about the Fort Peck Dam. As everyone recalls, authorization for construction of the dam was provided originally by Executive order, that is to say, as a part of the P. W. A. On three different occasions I was a member of delegations headed by the former Governor of Nebraska, Mr. Weaver. The late Senator Norris, of Nebraska, the senior Senator from Kansas [Mr. CAPPER], several other Senators, several Representatives, and I called on the President and had a talk with him. The first thing he asked us was whether the project would develop any power. I was not interested in the development of power. I was interested in flood control. I thought the Fort Peck Dam would be a great factor in the problem of flood control, and it has proved to be such. I was not even very much interested in navigation, because I thought flood control was the essential thing so far as we who lived down at the bottom of the valley were concerned.

As I have said, the President asked whether the dam at Fort Peck would develop power. Governor Weaver said that it would develop a certain amount of power, and that if the dam were built high enough it would develop a considerable quantity of power. But what we were all primarily interested in was flood control and navigation, and we were willing to take what we could get in the way of power. We had no disposition to oppose power development at Fort Peck but, because of being at the other end of the valley, we were interested in developing flood control and navigation. That was the basis on which the President proceeded. Doubtless, there was included in the project an understanding that a certain amount of power would be developed. So far as all of us at the other end of the valley were concerned, we would have been glad to have as large a dam as was needed for power purposes; but the primary purpose of the whole project, supported by the entire Missouri Valley, was flood control and navigation.

Mr. WHEELER. Mr. President, will the Senator further yield to me?

Mr. BARKLEY. I yield.

Mr. WHEELER. What the Senator from Missouri has said is correct. When Governor Weaver first came to Washington he came to my office and told me exactly what was being proposed with respect to Fort Peck. He asked me if I

interested in doing anything to help promote the project. I asked him if we would be in position to obtain irrigation in the drought-stricken area of eastern Montana in the event the project should go through, and he said that we would be given such benefits. I told him that if we could obtain such benefits in Montana and North Dakota I would be in favor of the project.

I telephoned the President and made an appointment with him, and Governor Weaver and I saw the President of the United States. I think we were accompanied by someone from the Omaha Chamber of Commerce. At that time the President told me that he would authorize the construction of the Fort Peck Dam. One of the reasons, of course, why he was anxious at that time to build it was the exceedingly high rate of unemployment throughout the country. The project which we proposed was ready to go ahead. Senators from States in the lower part of the valley were interested in the project because of navigation and flood control; but Senators from Montana and North Dakota were interested in it primarily because it would furnish power in their States, and if in an incidental way the project would aid in navigation and flood control we wanted to help in its promotion. But our primary interest was in the development of cheap power, and, perhaps irrigation.

Mr. CLARK of Missouri. The Senator will agree that while we all cooperated in the matter we cooperated from different motives.

Mr. WHEELER. Exactly.

Mr. CLARK of Missouri. The primary consideration of the President was the condition of unemployment throughout the country.

Mr. WHEELER. Yes.

Mr. CLARK of Missouri. Those of us living below the dam were primarily interested in flood control and navigation.

Mr. WHEELER. Yes.

Mr. CLARK of Missouri. The Senator from Montana was undoubtedly interested in the development of power. We did not care how high the dam was to be built so long as we were afforded a means of controlling floods and supplying water for navigation.

Mr. WHEELER. The best evidence of what the President had in mind was the fact that when the dam was built the engineers installed a turbine and power plant. That was the best evidence of what was in the minds of the administration when the dam was built. Provision was made to install the turbine, and also the power plant, both of which are in operation today.

Mr. CLARK of Missouri. Mr. President, I hesitate to interrupt the Senator from Kentucky any further except for just one statement, and that is that if the P. W. A. had started to build the Fort Peck Dam originally before a congressional act and had desired to make a power dam out of it, none of the supporters of the Fort Peck experiment or project would have objected to it. The administration did not choose to do it, but it was not because of any objection from any quarter that I ever heard of.

Mr. WHEELER. I do not understand

the Senator's allusion. The administration did not choose to do what?

Mr. CLARK of Missouri. To build a power dam.

Mr. WHEELER. But the administration put in a turbine and a power plant, and that power plant is in existence today, and is selling power to the Montana Power Co. at the present time at the bus-bar.

Mr. BARKLEY. Mr. President, I do not wish to go into the details of any one particular dam.

Mr. WHEELER. Mr. President, I simply want to call the Senator's attention to the fact that at each one of the dams which are to be built some power can be developed whether the dams are built for flood control, or for navigation, or for other purposes.

Mr. BARKLEY. That is undoubtedly true.

Mr. WHEELER. It seems perfectly ridiculous when we are going to build a dam where there is some potential power that that power should not be developed and the people of the country get some benefit by selling it or where it can be used for irrigation that they should not get irrigation.

Mr. BARKLEY. I thoroughly agree with the Senator, and that has been my position ever since I have been a member of the Congress.

I was discussing what I believe to be the fact that equipping these dams to produce power, whether they are originally designed for flood control or navigation, will not increase the cost of the dams anything like as much as it would later cost to build a separate dam for the purpose of producing power.

Mr. MURRAY. Mr. President, I might interject there, that the extra cost of building the power features of the Fort Peck Dam was represented by the cost of the turbines only. The same dam was there and it only required the extra expense of installing the turbines.

Mr. BARKLEY. Take the Kentucky Dam on the Tennessee Valley project at Gilbertsville, Ky. At that dam locks and dams were built for the purpose of navigation, but at the same time there were built the sluices through which the water runs and the turbines for the creation of power. That was all a simultaneous performance. Merely from my layman's knowledge I would not be able to allocate how much of that cost would go into the construction of turbines and how much into the sluices; but it was all a simultaneous operation; and it would have been stupid for the Government to have gone there and built a navigation dam or a flood-control dam and not have equipped it with facilities for producing power at the same time.

Furthermore, if the Government is to start out and build dams for navigation or flood control and make no provision whatever for the creation of power it is extremely doubtful whether any private enterprise will ever undertake the job of building a dam on a river in a given locality solely for the production of power. It is therefore economy on the part of the people, who, after all, have got to pay the cost either in taxes or in charges for electric power, to con-

struct these dams all in one enterprise simultaneously, so that whatever may be the use to which they may be put, whether navigation, power, or flood control, they may be available to be used for that purpose without repeating the expense and the energy necessary to build another dam.

It is my honest opinion that if we now reverse our course, if we reverse our policy, as this amendment seeks to do in a way—not completely, but it goes a long way in the direction of reversing our course—if we are to limit our construction of dams either to flood control or navigation without regard to any power possibilities it will be a long time before the people of the regions affected will have an opportunity to use any power that might be generated by the construction of dams on the rivers we are talking about.

I am not unconcerned, I will say to the Senator from North Carolina, by the question of expense. I know how easy it is for us to become pessimistic about the national debt and about our governmental expenditures. I am not indifferent at all to that phase of our public economy. We are now paying in taxes into the Treasury of the United States about \$45,000,000,000 a year; we will pay into the Treasury of the United States this year about \$45,000,000,000, which is approximately one-half of the cost of the war for the year. A few years ago that would have seemed like an incredible sum of money to raise in taxes from the American people. It is more by several billion dollars than all the American people earned a few years ago in a whole year's activity. That gives no excuse for extravagance; it gives no excuse or basis for taking an optimistic view that we can continue to pile up our debt or our taxes without regard to our domestic economy, and I do not advocate any such thing; but I believe that when this war is over and we are able to assess our obligations and charge off everything that is a war expense and recover everything we can recover out of the expense we have already incurred we will be able to reduce our annual tax obligations anywhere from 40 to 50 percent. I believe, instead of paying in \$45,000,000,000 a year in taxes, as we are now doing, if we can build a sound economy, if we can build an economy that will give a job to every man who wants a job at reasonable wages and hold out a reasonable hope to every man who has money to invest that he can reap a reasonable profit from his investment, the demand upon our capital and upon our labor and our inventive genius will enable us to maintain an annual income among the American people of anywhere from \$125,000,000,000 to \$150,000,000,000, and even greater than that as we develop further our resources, increase our industrial activity, and receive additional benefit from our inventive genius. We may reduce our tax bill, without in any way being niggardly in regard to our obligations to our soldiers, our enterprises and our people, between \$22,000,000,000 and \$25,000,000,000 a year.

I realize that that is an enormous amount compared to the cost of our

Government 15 or 20 years ago, but we are making that investment in order that we may enjoy our liberty and our independence as a nation. We could have avoided all this expense if we had been willing to take the chance of seeing our way of life and our democracy and our institutions go by the board; we were not willing to do that; we are pouring out our treasure and our blood and our lives in order that we may preserve them. I believe that, with the exercise of wisdom and with cooperation between government and business and agriculture and all classes of our people, we shall be able to build and maintain a sound economy in this country which will justify a reduction of our taxes without doing injustice to any group or person to whom we may be under obligation in the post-war period.

The effect of this amendment will be that wherever there is any power created by the construction of any of these dams it must be sold at the point of production. Nobody can build a transmission line to use the power unless it be a private enterprise or a corporation sufficiently large to indulge in that sort of expenditure. Under this amendment for 3 years at least the Government of the United States will not be allowed to build a transmission line, and even at the end of the 3-year period it could not build one if 90 percent of the power was being purchased.

Let us take a case where nobody could build a transmission line to the point of production, not even a community, a city, which desired to own its own electric plant. I have never been a confirmed advocate of municipal ownership in regard to public utilities, although I have always believed and now believe that when any city or town has the constitutional power to own its own municipal plant, and the people are willing to vote the necessary money to enable it to do it, they have a right to do it and should be allowed to do it.

There are in the United States many cities, the people of which do exercise the right to own their own municipal plants. That is a matter of local self-government. If they exercise that power, and vote in order to do it, they should not be denied the right to build a transmission line, if they desire, to the point of producing the power, in order that they may implement it with their own action in deciding to own their own electric plant.

Under the pending amendment they could not do that under any circumstances for 3 years, and they could not do it at the end of 3 years if any private enterprise had already contracted for 90 percent of the power; and no one could do that except a utility of some kind. No individual could do it, no municipality could do it, and nobody could do it except a power company itself within the 3-year period, and if within that 3-year period it had bought up 90 percent of the power, everyone else would be shut out.

In view of the fact that these rivers belong to the people, and that by the Constitution of the United States, the power was reserved in the Congress to

regulate them, I do not believe the people of any community, or that any private citizen who might be interested, should be denied the equal opportunity to buy the power, which might be a denial perpetually, because as long as 90 percent of the power was bought, no one else would have any right to it, nobody else could build a transmission line, even the Government itself could not build one.

Mr. AIKEN. Mr. President, will the Senator yield so that I may give an example of the effect of the operation of the amendment on a specific project?

Mr. BARKLEY. Yes; I am glad to yield.

Mr. AIKEN. If the amendment should be agreed to, the only possible customer for St. Lawrence power on this side of the St. Lawrence River would be the Niagara-Hudson Power Co., in spite of the fact that under the bill, public power companies and cooperatives are given first chance to buy the power. As a matter of fact, not more than 10 percent of that power is expected to be used by municipalities and cooperatives. The extent to which cooperatives would expand would depend upon the private utilities themselves and whether they were willing to deliver the power to unserved territory, or to territory now served, at a fair price.

Another effect of the amendment would be that the Niagara-Hudson Co. being the only possible customer for this power, the only possible purchaser, the rural areas in the center of New York State, at present unserved, would be unable to get the power except at a price at which the Niagara-Hudson Co. would be willing to resell it to them. In the meantime, if they got power from any source whatsoever at a high cost, they would be in the position of the private utilities underselling them, actually underselling a municipal plant, if operated at a loss, and eventually creating a condition whereby the cooperatives and the municipalities and public systems might be finally forced to sell out to the private utilities.

The amendment means that not only would it put a stop to any expansion of cooperative distribution lines, but it means that undoubtedly many of them would be forced eventually to give up the ghost and go back to some private utility system, even in territories which the private companies absolutely refused to serve a few years ago.

Mr. TAFT. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. TAFT. If it is a sound proposition for a cooperative within a reasonable distance of a Government plant to have a transmission line to that plant, why should it not be financed as a part of the cooperative? Why is it necessary to have the Government go into the general business of distribution of power?

Recently three cooperatives in Ohio, at my request, largely, and with my support, have borrowed from the R. E. A. over \$2,000,000 to buy a private electric distribution system. If the R. E. A. can lend them \$2,000,000 to buy such a system, why could they not lend them

\$100,000, or a half million dollars, whatever might be necessary, to build a transmission line to the power? In other words, should not the building of transmission lines be based on financing the particular cooperative, rather than made a general question of Government construction and distribution, wherever the Government may wish to go? Why is the Senator from Vermont correct in saying it would destroy them? Why could they not be financed through the R. E. A., if they want to build transmission lines?

Mr. BARKLEY. The inference to be drawn from the Senator's question is that while the Government itself should not build a transmission line, it should lend money to a cooperative in order to enable it to build it, all the money to come from the same source, which seems to me to be a rather inconsistent attitude.

Mr. TAFT. We do not base it on general discretion or deliberate permission by the Government, or building of new Government power projects, which, it seems to me, is going to result from a general policy of building transmission lines.

Mr. BARKLEY. The policy we are discussing, and which the amendment of the Senator from North Carolina seeks to reverse, is a policy we have adopted all along, insofar as the distribution of power is concerned. One of my objections to the amendment is that it automatically creates only one market, at the point of production, for the power, whatever it may be, and that restriction is limited to some concern which can build its own transmission line to the point of production. Unless there is such a concern in the community, then the power would go to waste for at least 3 years.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. In just a moment. If there is such an institution in a community, it would have a monopoly for 3 years in the ability to buy that power, and if at the end of the 3 years it was taking 90 percent, it would continue to have a monopoly, and no one else could move it. No one else could build a transmission line, and the Government could not build one.

Mr. TAFT. I suggest there is no discrimination, because we are backing the cooperative to such an extent that if a particular cooperative has a good case, if it is a reasonably safe proposition, the Government, through the R. E. A., can finance the building of a transmission line to that particular cooperative.

Mr. BARKLEY. I agree that if the cooperative had enough with which to build a transmission line from the point of production, it might be able to do so, provided the Authority did not discriminate against it in favor of some other private enterprise which was willing to take the power, although I realize the amendment says "without discrimination."

The point I make is that the Senator's inquiry shows that what he is willing to do is to take money out of the Treasury to lend to a cooperative with which to build a transmission line, but he is not willing, during the 3-year period, or any

other period, if the private enterprise has bought 90 percent of the power, to permit the R. E. A. or anybody else to build a transmission line into the point of production, and be able to buy on equal terms with any other competitor.

Mr. AIKEN. I cannot conceive of a case in which we might have half a dozen transmission lines running to the same dam. The duplication of effort would certainly make the electric energy cost more for all consumers. I can conceive of a situation in some sections of the country where there might be 10 or 12 different cooperatives which could get together and build their own transmission line. But I would suggest to the Senator from Ohio that perhaps after all the final and proper solution of the existence of this duplication of transmission lines might be found in giving the transmission lines the status of common carriers. Then we would do away with the duplication of lines which is so expensive to customers all around.

Mr. BARKLEY. Mr. President, I have already taken more time than I had intended to consume. For the reasons I have stated, I hope the amendment will not be accepted by the Senate.

Mr. OVERTON. Mr. President, I think it perhaps will be somewhat helpful to a consideration of the so-called Bailey amendment, which is in reality a committee amendment, if I should undertake to give the history of the amendment and show what is really in controversy as between the Bureau of Reclamation and the proposal submitted by the Senator from North Carolina.

When this matter first came before the Committee on Commerce it came by way of an amendment suggested by the Secretary of the Interior. The amendment he suggested is in line with the amendment proposed by the Senator from North Carolina [Mr. BAILEY] with the exception of the concluding sentence of the Bailey amendment. On page 2, lines 11 to 25, down to the word "cooperatives" there is really no controversy as between the Bailey amendment and the proposal of the Department of the Interior. I shall read it. It is very short. This is the provision concerning which, as I understand, there is no controversy:

Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

When the Secretary of the Interior appeared before the committee he suggested as a part of his amendment these concluding lines, and they relate to what is now in controversy before the Senate. I quote from page 311 of the hearings on the flood-control bill:

The Secretary of the Interior is authorized to construct and acquire such transmission lines and facilities and to enter into such

contracts, agreements, and arrangements as he deems necessary to carry out the duties and responsibilities herein conferred upon him.

Therefore the suggestion of the Secretary of the Interior was that he should be vested with untrammelled and unqualified power to construct and operate transmission lines from all dams constructed by the War Department.

A similar proposal has been made by the Secretary of the Interior to the river and harbor bill. When the river and harbor bill was considered by the Senate Commerce Committee, the committee inserted in lieu of what the Secretary of the Interior had recommended the following:

Provided, That the Secretary of the Interior is not authorized to construct or acquire transmission lines in competition, direct or indirect, with any existing company operating transmission lines for the sale of electric power; except as otherwise authorized by other sections of this act relating to Umatilla Dam and the Snake River project.

Therefore the committee amendment in the river and harbor bill, which was the first one acted upon by the committee and the first bill reported to the Senate, in the proviso prohibited the Secretary of the Interior from constructing or acquiring transmission lines which would come in competition, direct or indirect, with privately owned power companies.

After the river and harbor bill had been reported, the Secretary of the Interior, I understood and was advised, objected very strenuously to the proviso which has been inserted by the committee, which prohibited the construction by him of transmission lines which would directly or indirectly compete with existing companies. In an attempt to reconcile the differences between the committee view and the view of the Secretary of the Interior, I called to my office Mr. Goldschmidt. He is Director of the Division of Power of the Department of the Interior. He was therefore the ranking officer in the Department of the Interior in relation to the distribution of power from any and all dams. According to the testimony which will be found on pages 803, 804, and 805 of the record of the hearings, it was shown that he and I had gotten together with the view of trying to compose the differences which existed, and he then drafted an amendment which he submitted and which I shall read to the Senate. The amendment which Mr. Goldschmidt proposed was:

Provided, That the Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Exception then being made in reference to the Bonneville and Umatilla Dams, which has no application to this argument. That was the proposal made by the Director of the Division of Power in the Department of the Interior. I assume, without knowing it, that the Director of the Division of Power would

hardly have submitted such an amendment without the approval of the Secretary of the Interior.

When, therefore, we came to consider the flood-control bill, Mr. Goldschmidt having appeared before the full committee, and made his statement and given the reasons why he thought there ought to be a modification of the amendment contained in the river and harbor bill, there was inserted in the flood-control bill the amendment suggested by the Department of the Interior through the Director of the Division of Power. It reads exactly as it was submitted by Mr. Goldschmidt. It now appears in the printed copy of the flood-control bill as it comes from the Committee on Commerce, as follows:

The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

That was the provision reported by the Committee on Commerce.

Mr. WHEELER. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Louisiana yield to the Senator from Montana?

Mr. OVERTON. I yield.

Mr. WHEELER. Am I to understand that the Interior Department is dissatisfied with that provision?

Mr. OVERTON. I do not understand that it is dissatisfied with it.

Mr. CLARK of Missouri. Madam President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. The Senator will recall, of course, that when this subject was originally considered by the subcommittee of the Committee on Commerce of which the distinguished Senator is chairman, several questions were injected into both the flood-control bill and the river-and-harbor bill. The suggestion was seriously advanced by a distinguished member of the committee, namely, the distinguished Senator from Nevada [Mr. McCARRAN], in response to a question from me, that the Bureau of Reclamation of the Interior Department should have jurisdiction of the Coosa, Ala., project, which is at least 800 miles from the nearest reclamation project. In other words, it is an effort of the Interior Department to grab jurisdiction of things with which it has nothing whatever to do.

Mr. OVERTON. I am undertaking to give the history of the amendment, which I think will clarify the atmosphere.

In response to the question of the Senator from Montana, let me say that Mr. Ickes appeared before the committee in the flood-control hearings, after we had reported the river and harbor bill, which prohibited him from building any transmission lines which would compete directly or indirectly with existing companies. I read from a portion of the statement of Secretary Ickes, to be found

on page 461 of the flood-control hearings:

Your committee reported out an amendment to the river and harbor bill which incorporated the essentials of the policy to which I refer except for a proviso limiting the construction or acquisition of transmission lines. You can be certain that I deeply appreciate your action in so doing. However, I think that the restrictive proviso might well have been omitted. The reference to "indirect" as well as "direct" competition with any existing company operating transmission lines opens up a vast field for the exercise of the fertile minds of those who not only oppose Government transmission lines, but believe that the power resulting from Federal expenditures for water-resource conservation should be disposed of in a way that will permit the gleaning of as large a private profit as possible between the reservoir and the ultimate consumer.

Therefore the only objection that Mr. Ickes urged, as I recall his testimony, was as to the proviso which prohibited any indirect competition by the Bureau of Reclamation in the construction of transmission lines. Presumably, I take it, to be perfectly fair, he objected as well to the provision with respect to direct competition. However, apparently he is satisfied with the amendment originally proposed by the Committee on Commerce, which I read to the Senate a few moments ago.

The other day we held a meeting of the Committee on Commerce, called by its distinguished chairman. He expressed his dissatisfaction with the provision in respect to power as contained in the bill reported by the Committee on Commerce, and stated his reasons, very much as he has done upon the floor of the Senate. The Committee on Commerce decided, by a very large majority, to recommend the amendment suggested by the chairman of the committee.

That is the history of the matter, and shows exactly what is in controversy. I should like to make a further observation. Personally, so far as I am concerned, I wish that it had not been necessary to incorporate any irrigation or power provision in the flood-control bill or in the river and harbor bill. I wish that those two bills could have been limited, as they have been traditionally and historically limited, to the mere authorization of projects. After the projects have been authorized, if any hydroelectric energy is created, some other committee, in connection with some other bill, should determine just how the Bureau of Reclamation should handle the power. However, the baby was placed squarely on the lap of the Committee on Commerce. We had to do something about it, and we did the best we could. That is my whole attitude toward the question.

In this connection, let me make one further observation. If by chance the so-called Bailey amendment, or the committee amendment as modified, is defeated, I shall offer the committee amendment as presently contained in the bill, and as originally recommended by the Committee on Commerce. In order that there may be no mistake about that, let me read it:

The Secretary of the Interior is authorized to construct and acquire only such trans-

mission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. ELLENDER. Madam President, will my colleague yield to me?

Mr. OVERTON. I yield.

Mr. ELLENDER. As I understand, section 5 was originally drafted by the committee and voted upon by the committee as reported to the Senate. I am wondering what caused the committee to change its attitude and adopt the Bailey amendment.

Mr. OVERTON. The arguments presented by the Senator from North Carolina.

Mr. MCLELLAN. Madam President, upon a first reading of the pending amendment I was inclined to give it favorable consideration and possibly my support. However, upon further study of it, and considering the changes it makes in the original committee amendment as printed in the bill, I have concluded that in its practical operation and administration the harm and violence which it would do to the program would be greater than the benefits which it would confer.

I think there are two extremes regarding this power controversy. I recognize on the part of the private utilities, or at least some of them, a policy or a desire, I would say first, to prevent the construction by the Federal Government of hydroelectric power dams. I think in many cases, and with respect to many of our power utilities, they would prefer not to see any dams at all constructed on our streams, except possibly for the purpose of flood control. In other words they oppose the construction of multiple-purpose dams. Then, if such dams are to be constructed, I think some of them are prompted by selfish desires that they shall have the advantages and the benefits which those projects might afford to them by providing cheap power which they might acquire, through purchase, because in many places and in most instances they are already equipped with the facilities for distribution, and they would like to have all the benefit of what the Government has provided, and would like to make distribution of it, at a very fine profit to themselves. That is one extreme. It would afford a monopoly on the part of private industry, on the part of free enterprise, which would be at the expense of the taxpayers of the Nation and at the expense of the full development of our natural resources and the benefits which can be derived from the construction of multiple-purpose dams.

On the other hand, I recognize that there are forces or influences, possibly on the part of some governmental agencies, certainly on the part of some who are strong advocates of public power, which would like to carry this program so far as ultimately to destroy all private utilities, and thus to put the Government exclusively into the busi-

ness of power generation and distribution.

I think those are the two extremes. I do not believe either course is safe or wise for our Government to follow.

Reference has been made today, I believe, by the senior Senator from North Carolina [Mr. BAILEY], to the abuses which were committed by, and the evils which attended, private utility companies in years past. Reference was made by him, I believe, to the action of Congress some few years ago, at a time when I was a Member of the House of Representatives, in passing the Holding Company Act. I supported that bill, with a view to eradicating or correcting an evil practice or an evil situation which had developed in the power industry.

There are possibly other abuses which should be abolished and practices that should be regulated or controlled. But I do not go so far as to follow those who would use the governmental powers to the extent of destroying private enterprise or, to be more specific, of putting out of business the utility companies which are established and which are rendering a worth-while and an indispensable service in that field of endeavor. I think there is room in this country and in our industry for both the Government and private enterprise to operate within their respective spheres of influences and obligations in the generation and distribution of power.

The amendment originally adopted by the Senate Commerce Committee, and as printed in the bill, I think comes about as near being fair to both the utilities and the Government as any provision which has yet been developed or proposed does. I call attention to the part of it by which the Secretary of the Interior is authorized "to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies."

In my judgment, if that provision were enacted and were properly administered, there would be no discrimination. No particular advantage would be given to one over another—for instance, to private enterprise over cooperatives or over public bodies. Certainly the provision is broad enough in its terms to permit the exercise of honest and sound discretion.

The real test of this section or provision would be determined by the character of administration which would be applied to it.

There is just one thing which I should like to add to the amendment originally proposed by the Committee on Commerce. I should like to see a portion of the Bailey amendment incorporated as an amendment to the committee amendment, to follow on line 7, after the word "companies." I should like to see this much of the Bailey amendment adopted as an amendment to the committee amendment as originally proposed—I quote from the Bailey amendment on page 3 in line 2:

It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public.

I believe that to be a sound and wise provision which should be incorporated in any proposal establishing a policy with reference to the sale and distribution of power produced by hydroelectric dams. Certainly no private utility should be permitted to buy power at a price at which the Government can afford to sell it, and then distribute it at retail on the basis of what it may cost such private utility to produce the power through other means. In other words, if the cost to the private utility of producing power is 3 cents or 3 mills a kilowatt, or whatever the cost may be, and it is able to acquire power at wholesale prices from the Government-operated facility at half what it would cost the private utility to produce it, such benefit should be passed on to the ultimate consumer and the private utility should not be permitted to make a profit on the cost of the production of this power. It should be permitted to make a fair profit in connection with the distribution of the power.

I think the amendment would add an additional and desirable safeguard to the originally proposed committee amendment.

I cannot subscribe to or support the last paragraph or provision of the Bailey amendment. I agree with those who have interpreted the amendment and concluded that it would merely place power at the disposal of the private utility, and give it the advantage of such power for the first 3 years. If the private utility exercised the advantage within the 3-year period, and contracted for at least 90 percent of the power, it would then have a continuous advantage so long as the contract remained in force. I see no sound reason for allowing a 3-year period of time.

In the course of the construction of the various projects, information will be available as to what the approximate capacity of each project will be, what the output of electric energy will be at the plant, and so forth. It would require from 2 to 3 years to construct those facilities, and during that period of time the private utilities would have the opportunity of making a contract and extending their lines. Usually they would already have extended their lines to the project in order to supply the power necessarily used in its construction.

I believe that an undue advantage would be given to the private utilities by the adoption of the proposed amendment. We can easily see what the effect of it would be. I believe the utilities are now entitled to the advantages which they would receive by reason of their present position, and by reason of their ability to move quickly and construct power lines. A power line might have been previously constructed to the facility. The utilities might be in position to contract quickly and acquire control of the power before public bodies such as cooperatives could bid for power, make a contract for it, and participate in the

utilization of it. I see no sound reason why the Government should not be authorized to build a distribution line, a wholesale line, to some cooperative or to three or four cooperatives, or to some public body or municipality, if necessary, in order to insure a fair and equitable distribution of the benefits to the consuming public.

In many cases the utilities would be in better position to make distribution of the power. They would already be equipped, and it would not be necessary for them to build transmission lines. However, I believe the opportunity which may be granted to them should be safeguarded.

Mr. BURTON. Madam President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. BURTON. I noticed during the course of the Senator's remarks that he said he saw no reason why distribution lines should not be built to reach the consumers. I am sure he was referring to transmission lines for wholesale and not retail consumption.

Mr. McCLELLAN. Yes.

Mr. BURTON. I believe that a transmission line is commonly regarded as one which carries power for wholesale distribution, and I understand that the Senator is contending that the distribution should be for wholesale and not retail consumption.

Mr. McCLELLAN. The Senator is correct. I thank the Senator for his statement.

Mr. HILL. Madam President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HILL. The original committee amendment, which the distinguished Senator from Louisiana says he will offer if the so-called Bailey amendment is voted down, distinctly provides that the power generated at the various projects shall be sold only in wholesale quantities. So the present debate really has nothing to do with retail distribution.

Mr. McCLELLAN. I did not intend by my remarks to refer to retail distribution. I do not want to see the Federal Government go into the retail power business. I can understand, however, that there might be conditions under which the Government should perhaps build a transmission line in order to make power available. If the amendment of the senior Senator from North Carolina were adopted, and if there should be a serious controversy or disagreement between the private utilities and the Government as to price and other terms incidental to the purchase of power, I can foresee a period of perhaps 3 or 4 years after the dam had been constructed and power made available, when no one would receive any benefit from it. I believe the amendment of the senior Senator from North Carolina goes a little too far.

Mr. HILL. Madam President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HILL. Would not the amendment tend to put the Government at the mercy of the private power companies?

The Senator knows that power companies do not compete one with another over either the purchase or the distribution of power. They are tied together. For many practical reasons they should be tied together. One company in one watershed should be tied with another company in another watershed. When there is low water in one watershed, the power company in the other watershed should be in position to make up some of the deficiency in output of electric energy. But the companies do not all compete one with another. We wish to make sure that when a dam is constructed, whatever power company happens to be operating in that field shall not be able to dictate to the Government what it shall be paid for the power which the project furnishes.

Mr. McCLELLAN. That condition I can well foresee.

Mr. HILL. The Senator saw that very condition at the Wilson Dam, on the Tennessee River, when the Federal Government was compelled to sell power to the private power company there for a song, simply because there was nobody else who could come there and build a transmission line and compete with the private power company for the purchase of the power. The Government had to take just what the private power company was willing to give the Government.

Mr. McCLELLAN. That is one thing which I hope to see prevented by whatever policy we adopt. I say this to the Senator, however, on the other hand, I would not want to see the agencies of the Government which are entrusted with the responsibility of selling or distributing this power use the power of the Government arbitrarily just to destroy private enterprise for the very sake of putting the Government in the power business.

Mr. BAILEY. Madam President, will the Senator yield?

Mr. McCLELLAN. I gladly yield to the Senator.

Mr. BAILEY. What does the Senator expect, if my amendment should be defeated and the amendment originally in the bill should prevail, except an arbitrary use? That is my difficulty, and let me explain it.

Under the amendment first proposed, and now incorporated in the bill, but proposed to be stricken out by the so-called Bailey amendment, it is proposed that the Secretary of the Interior should be permitted to go to any city where there is a power company operating, selling power, transmitting electricity from one of these dams, and let that city buy it and abandon the power company. Repeat that often enough, and see what happens to the power companies. There would be Government monopoly.

Since this debate began I have been informed that there is one State in the Union in which no power company is operating, except in one city in the State, and that company is soon to be extinguished. Both the Senators from that State informed me of that fact. I did not know we had gotten that far.

But having gotten that far in one State, if we take the amendment originally proposed, and which will be adopted in case my amendment should be defeated, we place ourselves exactly in that position.

I agree that if the Senator from Arkansas were to administer this matter we might have a different tale to tell, but I am confronted with the fact that the law is to be administered down the street here by the gentlemen and the agencies which have moved successfully to destroy all the power companies in one State, and which—and I hope I do not misjudge them—appear to me to be bound upon destroying them everywhere else in order that they may take them over. Yet the Senator seems to think that is a good proposition, and he is going to vote for the amendment on the ground that he thinks they will not act arbitrarily. They have always acted arbitrarily, and they will continue to act arbitrarily, and they will act arbitrarily by our authority.

Something has been said about getting the power to the local rural cooperatives. The senior Senator from Alabama has submitted an amendment to me which I am agreeing to accept—and I think that situation will be out of the picture when that amendment is adopted—providing that the Government can run transmission lines to a rural electric association if they have none, and they can borrow the money, or the Government can put up the money. I think that takes out of this argument the objection on the ground of the needs of the rural population.

The Senators from the State which they said had no electric private power company operating in the State are going to offer an amendment providing that my amendment shall not relate to their State. Of course, I shall accept that. What I am trying to do is to save the existing private power companies from a hopeless and ruinous competition.

Now, one other word, and I shall take my seat. Some complaint is made here that 3 years is too long a time, but I notice that the Senators who object to 3 years do not propose to vote for the amendment if we cut it down to 2 years, and they do not propose to cut it down to 2. I think the objection must be a little more deeply rooted. I wrote in 3 years after conferring with the committee, wholly on the ground of giving the private power companies a fair opportunity to build their lines and get the electricity. My judgment is that they will go after it, and they will know that if they do not go after it, the Government will send it after them. I think 3 years is a reasonable time. However, if there are Senators who object to 3 years, but will vote for the amendment if I make it 2 years, I shall be very glad to deal with them, but I do not think that should be brought up unless it is a serious objection which can be corrected by an amendment.

I thank the Senator from Arkansas. I took a little more time than I had intended to take.

Mr. McCLELLAN. I merely wish to say, in reply to one thing suggested by

the very able Senator from North Carolina, that I recognize, as does the Senator, that no matter how diligent the Congress may be in the writing of laws, how just their provisions, if placed in the hands of designing administrators they can be abused, if any discretion is allowed at all, and there must be a measure of discretion entrusted in the administration of all laws.

While I should like to prevent any such abuse, I rather take this position, that it is my duty as a legislator to try to have laws passed which are just and fair in their terms and provisions, laws which can be administered equitably, justly, and properly. This is the legislative branch of the Government and I have a duty in connection with legislation. The administration of the laws we enact is the responsibility of another branch of the Government, and of the Chief Executive of the Nation.

I do not believe that we can adopt the amendment offered by the senior Senator from North Carolina without giving an advantage or preference to the private utilities.

Mr. MALONEY. Madam President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MALONEY. The Senator's last observation interests me very much. I intend to support the amendment offered by the senior Senator from North Carolina, although in the committee I assisted in its modification in what I thought were important instances. I should like to have the distinguished Senator from Arkansas tell us wherein he thinks this language gives a special privilege to the private power companies, because if it does, I shall change my view about the amendment.

Mr. McCLELLAN. Just in the same respect that the very able Senator from North Carolina has pointed out, that under the committee amendment as originally offered it can be abused. The same thing is true of the Bailey amendment with respect to private utilities. In most cases they are already established, with their power lines, they have an advantage, and they are naturally going to object to a competing line being built by a cooperative. Cooperatives are at a disadvantage, largely because of finances, in building transmission lines. Many of them are some distance away, and are not in a position to finance those things for their own good, and therefore it does place the private utilities at a decided advantage in obtaining the power, if it is handled under the provisions of the Bailey amendment.

Mr. MALONEY. Madam President, will the Senator yield further?

Mr. McCLELLAN. I yield.

Mr. MALONEY. As I understand the so-called Bailey amendment, private companies are compelled to buy this power or suffer competition. I would assume they would buy it at whatever price the Federal Government asked for it.

Mr. McCLELLAN. If the Senator will pardon me, let us assume they do not do so, then what is the situation?

Mr. MALONEY. I am coming to that. Then the Federal Government builds a

transmission line to sell the power. That is clearly provided in the amendment, as I understand it.

Mr. McCLELLAN. After 3 years.

Mr. MALONEY. The Senator from North Carolina said he would change it to 2 years, and I assume that if he were pressed hard he would shorten the time still more.

Mr. McCLELLAN. Why not take out the provision?

Mr. MALONEY. There is no guaranty under existing circumstances that they can get the equipment to build the transmission lines right away, because the authority over and the control of the necessary equipment rests in the hands of the Federal Government. I think that is the answer to that question.

Mr. McCLELLAN. The Senator is simply referring to a war condition—

Mr. MALONEY. That is correct.

Mr. McCLELLAN. And, of course, we do not expect many of these projects to be constructed until after the war.

Mr. MALONEY. I myself would prefer that there be no limitation of time, but I share the view of the able Senator from North Carolina that we ought to do everything we can to prevent a confiscation of private power in this country. If we were to start all over again I think I would favor public power. If we are going to nationalize power now, we ought to make certain that we do not do it by way of confiscation and destruction. Provision should be made to pay proper and reasonable prices for the properties with which the Federal Government would be in competition. I think we have a definite responsibility here. I do not call myself a special friend of the power interests. On all the votes we have taken up to now in the Senate, if my memory serves me well, I have been on the other side of the issues. I voted for the death sentence and other proposals which were intended to take from power companies what I thought were special privileges. But we are here and now confronted with a question of fairness, and I think the amendment which we are now considering has no other purpose.

Mr. BARKLEY. Madam President, will the gentleman yield?

Mr. McCLELLAN. I yield.

Mr. BARKLEY. I simply wanted the Senator to yield to me so I could make an observation. Many Senators have asked me if we wanted to dispose of this amendment this afternoon, and after conferring with the Senator from Louisiana [Mr. OVERTON] in charge of the bill, I find it is desirable that we dispose of the amendment this afternoon. I make that statement so that Members of the Senate will not leave the Chamber, so we may dispose of the amendment one way or the other.

Mr. McCLELLAN. Madam President, I have discussed my views of this matter, and I state now that I shall move the adoption of that sentence in the Bailey amendment to which I have referred as an amendment to the original committee amendment in the event the Bailey amendment is rejected.

SEVERAL SENATORS. Vote! Vote!

Mr. WHEELER. Madam President—

Mr. BAILEY. I suggest the absence of a quorum in order that we may have a full attendance.

Mr. WHEELER. I will not yield for the purpose of the suggestion of the absence of a quorum. I shall speak for only a few moments.

Mr. BAILEY. I thought the Senate was about to vote on the question. I did not know that the Senator from Montana intended to speak.

Mr. WHEELER. Madam President, I wish to say that I concur fully in what the Senator from Arkansas [Mr. McCLELLAN] has just said. I do not know that anything can be added to the statement he has made in reference to the pending question. In view of the fact, however, that the subject of utility holding companies has been brought up, I wish to say that when the bill providing for the so-called death sentence was pending before the Senate of the United States speeches were made on the floor of the Senate to the effect that we were going to confiscate private enterprise and put it out of business. The bill finally passed the Senate, as Senators will recall, by only 1 vote. I happened to be handling the bill, as chairman of the Interstate Commerce Committee of the Senate. The fight was probably one of the bitterest occurring in the Senate during my 20 years as a Member of this body. Never was a more powerful lobby congregated in the city of Washington than there was at that time in an effort to save the holding companies and to permit the continuation of the bad practices that had been perpetrated upon the American people by the holding companies of this country.

Madam President, we now hear talk about confiscating property. The Senator from North Carolina has called attention to the difference between the cost of producing power by private enterprise and by the Government, and he has pointed out the difference very carefully and very correctly. I wish to call attention to the fact that some of those who are advocating this particular amendment in the interest of and protection of private enterprise are also advocating, at the same time, that the rivers of this country shall be widened and deepened at the expense of the Government—and for what purpose? For the purpose of setting up competition with other forms of transportation and with private enterprise. Those who advocate the widening and deepening of rivers do so not only for the purpose of permitting great corporations to send their vessels up and down the rivers but to keep the channels open year after year at the expense of the Government of the United States.

The railroads of this country pay income and other taxes. The same individuals who are talking about competition on the part of the Government with private enterprise on the one hand, are also supporting legislation providing for the deepening and widening of rivers. If one proposal is wrong, then the other is wrong. When the Government builds dams it does so at Government expense, because no private enterprise will attempt to build them. The Government builds dams—for what purpose? For

the purpose of saving property. Those who want private property saved by such means cannot build the dams themselves. No private enterprise can do so or will do so. Therefore the Government steps in and does it.

Mr. BAILEY. Madam President, will the Senator yield for an interruption?

Mr. WHEELER. I yield.

Mr. BAILEY. I think the Senator's statement is correct generally, but it is certainly not correct with respect to North Carolina. In North Carolina the Government is saying to corporations which wish to develop sites which they have bought, "You shall not build dams for power." One such project was contained in this bill, and I had it stricken out yesterday. The money was available. The engineers were ready to build a dam at Tuckertown. The Power Commission said "No." Another project was at Nantahala, for a 500-foot-high dam which would cost private enterprise \$27,000,000 and cost the Government \$40,000,000 or \$50,000,000, but the Government said, "You shall not build it. We will build it." We have come to the point where the Government controls the source of the power and intends even to control the distribution.

Mr. WHEELER. I do not know about the particular case to which the Senator refers, but generally when the Government builds flood-control projects it does so because private enterprise will not build them and cannot afford to build them.

Mr. BAILEY. Private enterprise does not come into flood-control projects anywhere, but I do not think the Senator can find a good power site in America on which private enterprise would not build if the Government would not lay hands on it.

Mr. WHEELER. Of course, private enterprise will not build flood-control projects because there is no profit in doing so, and if there is no profit in such construction private enterprise wants the Government to construct it. When a canal does not make money private enterprise desires to unload it on the Government, as was done with the Cape Cod Canal some years ago, and as is being done with reference to the canal along the B. & O. Railroad. I am in favor of private enterprise, but I am in favor of private enterprise being regulated.

Take the case of the radio broadcasting chains. The Republican Party adopted a plank in its platform to the effect that there should be no regulation of radio broadcasting chains in this country aside from the regulation of the mechanics of the operation of the radio. However, that is beside the point. When these great dams are built, as I understand, they are built essentially for flood control, and not for power purposes.

Mr. MALONEY. Madam President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. MALONEY. I should like to note also, as did the Senator from North Carolina [Mr. BAILEY], that in connection with flood-control projects the States of New England made a very strong effort to establish an interstate compact on

flood control, and the pact was rejected by the Congress in 1937.

Mr. WHEELER. Frankly, I believe that when private enterprise wishes to build dams for flood control, or other purposes, and it can do as good a job as the Government in the prevention of floods, it ought to be permitted to do so, and the Federal Government ought not to step in. I am assuming—perhaps I am mistaken—that these flood-control projects are being built by the Government essentially for flood control. However, in the case of every dam which is built, there is bound to be some primary power developed; and if the Government can recoup some of the money which it has put into such a project, it ought to be permitted to do so.

Mr. MALONEY. Madam President, will the Senator further yield?

Mr. WHEELER. Let me finish. For example, take the Fort Peck Dam. The Government had a transmission line, and installed a power plant. The project was in eastern Montana, where there were no large cities. The transmission line was originally built for the purpose of taking power from the Montana Power Co. and transmitting it into eastern Montana. Power was necessary for the construction. If that transmission line had not been there, a transmission line would have had to be built. I do not think the Montana Power Co. would ever have built it. But the power was bought because the transmission line was there, and the power was used for very necessary war purposes.

Many dams will be built along the Missouri River, where there are no large cities. It seems to me that in some instances transmission lines must be built in order to sell the power. If they are not built, the private power companies may say, "We do not want to buy that power. We have all the local power we need, and we are not going to buy it." Then it will be necessary to wait for 2 or 3 years to sell it.

Mr. MALONEY. Madam President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. MALONEY. The Senator makes a good argument so far as it goes, and I share his feeling that when a dam is constructed for flood-control purposes and there is a potential use for power which might be developed, even though at some distant time, provision ought to be made in the construction of such a dam for power uses at a later date. I quite agree with that statement. I think it would be sinful to build a large flood-control dam in an area in which power might be used at some later date, without taking the necessary steps to make power later available. However, I cannot see how this amendment trespasses on that idea.

Mr. WHEELER. Of course, it does not trespass on the idea that provision may be made for power in the future.

Mr. MALONEY. The amendment is much more generous than that. This amendment does not frown on power dams.

Mr. WHEELER. I understand that thoroughly. The Senator misunderstood me if I gave him a contrary im-

pression. It may be that in connection with some of these dams there will be no power provision. It seems to me that will depend entirely upon conditions.

Apparently what is troubling the Senator from North Carolina is that he is fearful, and does not trust someone in the department with reference to these matters. There may be some excuse for such a feeling. There may be those in the departments who are anxious to go into the power business and put private industry out of business. I believe that the Senator from Arkansas [Mr. McCLELLAN] stated the situation very correctly when he said that after all, as Members of the Congress of the United States, our duty is to enact legislation, and that we must give some discretion to the various departments. I do not like to give them too much discretion. When I first came to the Senate I did not want to give them any discretion, because of the fact that I had had experience dealing with them in land matters, and as United States attorney. I thought, even in those days, that they made rules and regulations which were reprehensible.

Mr. MALONEY. It seems to me that the Senator is still pretty reluctant to give them discretion.

Mr. WHEELER. That is true; but we must give them certain definite powers and discretion. If we have men in the various offices in whom we have no confidence, men whom we cannot trust, and who violate the intent of the Congress, then the Congress ought to get rid of them, or see that they are eliminated.

Mr. MALONEY. If the Senator will yield to me for a moment, I should like to suggest that that is a pretty far-fetched observation. I am not lacking in confidence in those who would administer this procedure. I think I know what they would do. I believe that there are those within our Government—a great many of them—who believe in the nationalization of power, and I believe that they would go about it without much delay. I think that is the issue involved here. I do not wish to see that done until we devise a way to make proper payment to those owning private power companies. Heretofore I have submitted an amendment to provide such protection. If the Federal Government wishes to enter that field, and will pay the proper price, it is all right with me. But millions of American people have money invested in private power companies. There are private power companies with bad records, and there are private power companies with good records. I believe in rigid regulation. I do not wish to take any uncertain steps, however, which might be avoided.

I see in this amendment a mild and modest attempt to indicate a Federal policy. We are entirely without one now. We are scattered all over the field. There is a great difference of opinion within the Government as to how we should deal with the power question. I wish to point out to the Senator, because he makes so much of it, that the Senator from North Carolina has indicated his willingness to cut down the period of waiting time before the power is sold.

Mr. WHEELER. I do not think there should be a waiting time, as has been pointed out on the floor of the Senate by the Senator from Kentucky [Mr. BARKLEY] and the Senator from Arkansas [Mr. McCLELLAN]. When power projects are being built, we know what power is to be developed. We know, before the construction is begun, the amount of primary power which is to be developed.

Mr. MALONEY. I do not quarrel with the Senator on that point. I should be willing to see the time limit stricken out.

Mr. WHEELER. It should be stricken out. When the construction of a dam is commenced, those in charge know the amount of primary power which is to be developed. They knew it in the case of the Fort Peck Dam. They know it in the case of every other dam which is being built. If we cannot build a transmission line so that the power may be sold, we shall be absolutely at the mercy of some power company at practically every place where one of these dams is built. The power company will be able to say, "You can sell us this power for so much, or you cannot sell it at all." We shall be tied up for an indefinite period of time, and will not be able to build any transmission lines. It seems to me that that is a mistaken policy.

When we talk about confiscating the property of private owners and not paying them enough, I should like to have someone tell me when the Government has ever taken any piece of private property anywhere in the United States and has not paid a most generous price for it. Will any Senator stand on this floor and tell me of any time when the Government has ever taken a piece of property and has not only paid a generous price for it but generally has paid far more than the property was worth?

I happened to be a member of the conference committee which considered the bill providing for the taking over of some of the properties of the Commonwealth & Southern Corporation. I sat in the conference committee room with the late Senator Norris. I saw the Members of the House of Representatives who were members of the conference committee come there and argue. I saw the late Senator Norris, who then was in his declining years, sit in that conference room with tears streaming down his face because of the fact that he thought the conference report would not be adopted. I said to him, "Do not worry about it. It is going to be adopted because of the fact that the power interests will get \$10,000,000 more than the property is worth."

But, Madam President, were they satisfied with it? Was the late Mr. Willkie satisfied with the price he received? Was the Commonwealth & Southern satisfied with the price it received? They were delighted to unload the property on the Government of the United States for the price they were paid, and I happen to know it.

So when we talk about taking over private property and not paying for it, let me say that the Government always has paid most generously for everything it has ever taken over, whether it be a

dog, a house, a cow, or a piece of property anywhere in the United States.

I agree that there are some good power companies and there are some bad power companies, depending upon the kind of management they have. I also agree with the senior Senator from North Carolina [Mr. BAILEY] that some of the power companies did a great service when they started and developed their companies. There is no question about that.

I am not in favor of having the Government of the United States go into the retail power business.

Mr. MALONEY. Madam President, will the Senator yield to me?

Mr. WHEELER. I yield.

Mr. MALONEY. Would the Senator have objection to this proposal if the time limitation were stricken out?

Mr. WHEELER. I do not know that I would. I am inclined to think that possibly I would not.

Mr. MALONEY. I am anxious to see us take a step toward the formulation of a Federal power policy. As I understand the discussion here, the only objection raised by the able junior Senator from Arkansas [Mr. McCLELLAN] and the able senior Senator from Montana [Mr. WHEELER] is regarding the limitation of time. I have very good reason to believe that the author of the amendment is willing to remove that limitation.

Mr. WHEELER. I would not wish to commit myself definitely at this time with reference to it, but I think the provision which was originally adopted by the committee does adopt a policy.

Madam President, at this point I wish to place in the RECORD several telegrams which I have received from Montana. One of them reads as follows:

POLSON, MONT., November 21, 1944.
Hon. B. K. WHEELER,
Washington, D. C.:

The Bailey amendment to H. R. 4485 is absolutely the wrong theory. United States bar sales to any group as of law and practice by the Bonneville Power Administration is correct practice for fair distribution to everyone. Please use your influence to have the flood-control legislation to the benefit of all communities and groups along the waterways to the very source of the streams.

Board of Commissioners; Mission Irrigation District, Ray Biggerstaff, secretary; W. A. Jensen; Earl S. Ferrell; Stella M. Upham; Polson Chamber of Commerce, Louis Pratt, president; Reservoir Valley Grange, Lola Wolfinger, secretary; T. R. Delaney, attorney; W. L. Rader, publisher, Flathead Courier; F. N. Hamman, lawyer; Lloyd I. Wallace.

I happen to know most of the signers of the telegram. Most of them are very good Republicans, particularly the lawyer, the last person who signed the telegram, who has just been elected a State senator on the Republican ticket. Also all the members of the board of county commissioners are Republicans.

I also hold in my hand a telegram from Mr. A. F. Winker, chairman, and Mr. Don Treloar, secretary, of the Flathead Valley Citizens Committee. I ask unanimous consent that this telegram be printed in the RECORD as a part of my remarks.

There being no objection, the telegram was ordered to be printed in the *RECORD*, as follows:

KALISPELL, MONT., November 21, 1944.
Hon. B. K. WHEELER,
Senator from Montana,
Washington, D. C.:

We understand an amendment to the flood control bill seeks to prohibit Government sale of power except from the bus bars at the dams. Such an amendment, if made into law, would jeopardize the entire Northwest program for development and sacrifice huge Government transmission facilities to selfish interests. We desire to express our disapproval of such action and urge you do everything you can to preserve the status quo in the Northwest as it pertains to distribution sale of power. If amendment cannot be stricken out immediately, we believe it should at least be delayed until an adequate opportunity is provided to oppose it. We feel that the aspirations of this Northwest States region hinge upon the defeat of this amendment, which we understand has been presented by Senator BAILEY.

A. F. WINKER, Chairman,
DON TRELOAR, Secretary,
Flathead Valley Citizens Committee.

Mr. WHEELER. Madam President, I sincerely hope that the so-called Bailey amendment will be defeated, and that the amendment which was first recommended by the committee will be adopted by the Senate.

Mr. HILL. Madam President, I do not desire to delay the vote on the pending amendment, but I feel so strongly about the amendment that I do not wish to have a vote taken on it without first voicing my vigorous protest against its adoption.

The senior Senator from Kentucky [Mr. BARKLEY], the junior Senator from Arkansas [Mr. McCLELLAN], and the senior Senator from Montana [Mr. WHEELER], have stated the reasons why, in their opinion, and also in my opinion, the amendment should not be adopted. I do not wish to detain the Senate in order to reiterate the arguments they have made.

As those Senators have well stated, the adoption of this amendment would, in their opinion, and also in my opinion, result in giving special favors to the private power companies, and in practically denying rural cooperatives and public power bodies an opportunity to purchase the power which might be generated at these flood-control projects.

The amendment which was originally reported to the Senate by the Committee on Commerce provides that transmission lines can be built only for sale of such power in wholesale quantities and for the purpose of giving a fair and reasonable opportunity to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

If the Bailey amendment is adopted as a part of the bill, it might well be that there would be some other Federal project in close proximity to one of these flood-control projects, and that the other Federal project would not be able to obtain the power needed for its own operation. Certainly, the practical effect of the amendment would be that public power bodies generally and rural cooperatives would not obtain any of this

power. It would go to the private power companies. As I have endeavored to indicate in the questions I asked on the floor of the Senate earlier in the day, it would not only go to the private power companies, but, as the amendment is now written, it would go to them largely on their own terms. As we know, and as I have said here before, there is no competition between private power companies, either in the matter of the purchase of power or in the matter of the distribution and sale of power. They are tied together; and, as I have said, to be fair to them, in many cases it works in the public interest for them to be tied together. But they do not bid one against the other for the purchase of power.

The result would be that the private power company which was nearest the particular flood-control project would obtain the power from that project, and the Government would be at a great disadvantage in attempting to get the best price for the power, inasmuch as the private power company would not have any competition, would not have anyone bidding against it or competing with it, for the purchase of the power.

As has been stated here, the amendment represents a reversal of our policy. Beginning in 1906, with the passage of the reclamation law, the Congress adopted a policy of at least giving an equal opportunity to public-power bodies for the purchase of power generated at projects built with funds provided by the Federal Government. In many of the acts passed since 1906, Congress has gone further than merely to give public-power bodies and rural cooperatives an equal opportunity. Congress has given them a preference.

As I recall, we granted preferences in the Tennessee Valley Authority Act, in the operations of the Fort Peck Dam, and the Bonneville and Grand Coulee Dams. The public power bodies, which are not operated for private profit but for the benefit of the people served by them, and the rural cooperatives, which are not operated for profit but for the benefit of farmers and members of the cooperative, have been given preferences for the purchase of power.

We would now reverse the policy. We would not only deny any preference but even an equal opportunity to the public power bodies or the rural cooperatives to buy any of the power.

My distinguished friend from North Carolina—and there is no abler Member of this body, nor one who is more persuasive or appealing—stated today that he felt that if we did not reverse our existing policy the private power companies would be put out of business. I share no such fears. I hold no such views. We were told exactly the same thing when we had before us the bill providing for the Tennessee Valley Authority. We were told exactly the same thing when we had before us the bill involving the dissolution of holding companies.

The truth is, Madam President, that the Tennessee Valley Authority brought about the dissolution of the Tennessee Electric Power Co. by its purchase of

that company. Because the Tennessee Valley Authority did not wish to build competing lines and be in the position of impairing, if not destroying private property and private enterprise, it purchased the company to which I have referred. So the Tennessee Valley Authority compensated at a handsome price the owners of the Tennessee Electric Power Co. for every dollar's worth of its property.

So far as the Alabama Power Co. is concerned, the Georgia Power Co., and power companies serving Mississippi, Kentucky, and other adjoining States, I do not hesitate to say that instead of being inimical or harmful to the private power companies, the operation of the Tennessee Valley Authority has been most helpful to them. It forced them to put their operations upon a fair, sound, efficient, and businesslike basis. Instead of hurting them it has made customers for them. It has made people power minded. It has caused companies to reduce their power rates. They are selling far more power today than they ever dreamed of selling before the Tennessee Valley Authority was created.

In the Birmingham area we are served principally by the Birmingham Electric Power Co., which is a private company. The Tennessee Valley Authority also furnishes power to Bessemer and the adjacent area.

The fact that the Tennessee Valley Authority came into that area and is today, and has been for some time, selling power did not put the private power company out of business. It brought about seven reductions in the rates for power charged by the private power companies to the people of the Birmingham area. But that power company is still operating today. If we look at the quotation of its stock on the stock market, we find that it is in a sound and healthy condition, paying good dividends, selling more power and to more customers than it has ever sold before, and that it is in a better condition financially than ever before.

Madam President, the question before the Senate is not one of destroying private power companies or private enterprise. The question is merely one of permitting all the people to have a fair and equal opportunity to obtain the power which will be generated at the expense of the Federal Government. There is no intention of the Federal Government to enter widely into the power business. The truth is that under the language of the amendment which the committee first reported, and which, if the Bailey amendment is defeated, will be offered by the Senator from Louisiana, transmission lines could be built only for the sale of power in wholesale quantities. No authority is provided in the amendment as originally reported by the committee for any retail distribution of power.

Madam President, we talk of private enterprise, but let me say that the greatest thing which has ever come to the section of the South in which I have the honor to live has been the T. V. A. One of the greatest things the T. V. A. has done for that area has been to encourage

and help the building of private enterprise. In that great section of our country we have more private enterprise and private business operating on a sound, stable, and prosperous basis than we ever had before. It is because of the advent of the T. V. A.

Madam President, I hope this amendment will be defeated. I hope the Senate will do nothing which might result in taking funds of all the people and giving to a certain group the benefits derived from the expenditure of such funds. I hope that by no act of the Senate will private power companies be given a fixed or vested interest in the power to be derived from flood-control projects.

I feel so deeply about this amendment, Madam President, that if it is adopted I, for one, will hope that the bill will never become law.

Mr. PEPPER obtained the floor.

Mr. WHITE. Madam President, will the Senator yield in order that I may make an inquiry?

Mr. PEPPER. I yield.

Mr. WHITE. I wonder if it is the disposition of the Senator in charge of the bill to conclude consideration of the pending amendment this evening. It is now almost 5 o'clock. If my information is correct, amendments are to be offered to the committee amendment as modified. I think it is very dubious whether we can complete consideration of the pending matter in a short time.

Mr. OVERTON. I do not know of any amendments to be offered.

Mr. BAILEY. Madam President, I have received notice of three amendments to be offered.

Mr. OVERTON. Are they to be offered to the committee amendment as modified?

Mr. BAILEY. Yes. We can go ahead and vote, of course.

Mr. CLARK of Missouri. Madam President, I have an amendment which I intend to offer on my own behalf. I think it will protract the debate.

Mr. PEPPER. Madam President, I am in a position to advise Senators who are interested that what I have to say will not take more than 5 minutes, and will not prevent a vote being taken this afternoon.

Mr. WHITE. Madam President, if the Senator from Florida will further yield, it is my impression that there are amendments which will be offered and discussed. I do not believe that the amendment now pending can be disposed of until a substantially later time. In view of the fact that this is not the night before Christmas, but is the night before Thanksgiving, and that some Senators may desire to leave the city, I wonder if further consideration of the amendment could not go over until Friday.

Mr. OVERTON. I am glad to accept the suggestion.

Mr. BARKLEY. If there are several other amendments to be offered to the pending amendment, and several other speeches to be made, it is obvious that we cannot reach a vote on the amendment today. I wonder if we cannot enter into an agreement for a limitation of debate when we resume consideration of the amendment.

Mr. OVERTON. I hope so.

Mr. BARKLEY. I therefore will attempt to feel out the sentiment of the Senate and see whether it may be possible to get a vote on the Bailey amendment and all amendments thereto. Would 15 minutes be too much time?

Mr. BAILEY. Madam President, I can speak only for myself. I would not want more than 10 minutes, but there are some amendments.

Mr. BARKLEY. To the Bailey amendment?

Mr. BAILEY. Yes. I should like under the circumstances to have enough time to say whether they are agreeable or not. But I do not intend to make any argument.

Mr. BARKLEY. I think we might very well enter into a 15-minute limitation on the Bailey amendment and all amendments thereto. Therefore I ask unanimous consent that during the further consideration of the Bailey amendment, no Senator shall speak more than once or longer than 15 minutes.

Mr. BAILEY. I am willing to limit the debate to 5 o'clock, or until 10 minutes after 5.

Mr. BARKLEY. So am I, but I do not think we can get such a limitation. There are several Senators who wish to address the Senate. I am suggesting that during the further consideration of the Bailey amendment, or any amendment thereto, no Senator shall speak longer than 15 minutes.

Mr. BAILEY. I think that might result in a prolongation of the debate indefinitely, and I shall be very frank with the Senator. I should like to have a vote, and I am perfectly willing to have a vote by 10 minutes after 5, which will be 15 minutes from now. If the debate is to be prolonged and I must stay here, I may say that I had a great deal of work in the committee in the matter of the St. Lawrence seaway, and I came out of the committee after that morning's work, and without taking my seat, I found I had to speak. I have been proceeding all day. I can go a little while longer, but not much longer. That is my situation.

Mr. BARKLEY. I was basing my request on the suggestion that a number of other Senators desire to address the Senate, and also that two or three or four amendments are to be offered to the Senator's amendment. In that event, it is obvious we could not conclude the debate today.

Mr. BAILEY. That is correct.

Mr. BARKLEY. It was on that basis I was seeking to obtain a limitation of debate on the amendment.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Is there objection to the request of the Senator from Kentucky?

Mr. CLARK of Missouri. May the request of the Senator from Kentucky be restated?

Mr. BARKLEY. I ask unanimous consent that during the further consideration of the pending amendment, known as the Bailey amendment, no Senator shall speak more than once or longer than 15 minutes on the amendment or any amendment thereto.

The PRESIDING OFFICER. Is there objection to the request?

Mr. AIKEN. As the Bailey amendment is an amendment to a committee amendment, can there be further amendments offered to the Bailey amendment?

Mr. BARKLEY. The Bailey amendment now occupies the status of a committee amendment, so that the inquiry propounded by the Senator may be answered in the affirmative.

Mr. AIKEN. The Senator means permission has been given to the committee to modify the amendment so as to include the Bailey amendment? Is that correct?

Mr. BAILEY. There was no permission in the committee, but I take it I can either agree to an amendment or not. I did not think there had been any rule to the contrary. I did not think there had been any rule to that effect. There may have been one since the Senator from Vermont came to the Senate.

Mr. OVERTON. There is no rule against a committee modifying its own amendment.

Mr. BARKLEY. I had understood from the Senator from Louisiana that the Bailey amendment had been put in such a position that it is a committee amendment.

Mr. OVERTON. It is, and is reported in lieu of the original amendment.

Mr. BARKLEY. It displaces the original amendment offered by the committee?

Mr. OVERTON. That is correct.

Mr. BARKLEY. So that it is an amendment in the first degree, and amendments to it would be in order.

Mr. AIKEN. That is the information I was seeking.

Mr. WHITE. Mr. President, it is understood that if the request for a limitation on debate shall be agreed to, we will recess at this time?

Mr. BARKLEY. I think that we might as well, in view of the situation. That is my purpose.

Mr. OVERTON. I wonder if we could conclude the debate by 2 o'clock Friday.

Mr. BARKLEY. I expect we have gotten about all we can get today in the way of an agreement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and the request is agreed to.

Mr. PEPPER. Mr. President, is it the desire of our able leader to carry this subject over until Friday, or are we to have a session tomorrow?

Mr. BARKLEY. It is not my desire; I had hoped we might dispose of the amendment, but the situation is such that I think we must carry it over.

Mr. PEPPER. Very well. Then I shall desist. I should like to ask, if it is not inconsistent with the views of the leader, that I have the floor when we resume the discussion of this subject.

Mr. BARKLEY. I think that is not a very good practice in the Senate. There will be no difficulty about the Senator getting the floor.

Mr. PEPPER. Very well. At least I serve notice that I shall ask for the floor when we reassemble.

Mr. MALONEY. Mr. President, if it is in order, I desire to give notice now that when afforded the opportunity Friday I shall offer an amendment which

would strike out on line 8, page 3, of the amendment the words "demanded or" and the words "within 3 years after," and to insert before the word "completion" the word "upon," so that the amendment of the Senator from North Carolina would at that place read as follows:

That unless 90 percent of the firm power produced at such projects shall be purchased upon completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. MALONEY subsequently said: Mr. President, I ask unanimous consent that the amendment concerning which I gave notice that I would offer Friday be now printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be received, printed, and lie on the table.

GRAVES COUNTY, KY., MEETS WAR BOND QUOTA FIRST DAY

Mr. BARKLEY. Mr. President, I have a telegram which I desire to read into the RECORD as an example and an inspiration not only to the Senate, but to all parts of the country. The telegram comes from Graves County, Ky., in which I was born. It is addressed to me from Mayfield, and is dated November 21:

Graves County went over its War bond quota first day.

That was the 21st.

Campaign was sponsored by the Lions Club, Rotary Club, Kiwanis Club.

The telegram is signed by Lara Barron and W. F. Foster. Miss Barron and Mr. Foster have been in charge of all the War bond drives in Graves County, and they have done a magnificent job in going beyond their quota every time bonds have been offered for sale. It is very gratifying to me, as a native of the county, to be advised that on the first day of the present bond drive they have gone over their quota. That does not mean they are going to relax in their efforts to sell more bonds, but they were able on the first day to more than fill the quota assigned to the county, and it is a pleasure to me to read this telegram into the RECORD at this point.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McFARLAND in the chair) laid before the Senate messages from the President of the United States submitting several nominations in the Marine Corps, which were referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BILBO, from the Committee on the District of Columbia:

Guy Mason, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified (reappointment).

By Mr. CONNALLY, from the Committee on Foreign Relations:

Jefferson Caffery, of Louisiana, to be Ambassador Extraordinary and Plenipotentiary to France; and

Waldo E. Bailey, of Mississippi, to be a Foreign Service officer of class 7, a secretary in Diplomatic Service and also a consul.

By Mr. HATCH, from the Committee on Public Lands and Surveys:

Richard McElligott, of Oregon, to be register of the land office at Roseburg, Oreg., terminating recess appointment, vice George Finley.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

The legislative clerk read the nomination of Brig. Gen. Frank T. Hines, United States Army, to be Retraining and Reemployment Administrator.

Mr. WALSH of Massachusetts. I ask that the nomination of General Hines be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE JUDICIARY

The legislative clerk read the nomination of Charles H. Cashin, to be United States attorney for the western district of Wisconsin.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

CIVIL AERONAUTICS BOARD

The legislative clerk read the nomination of Harlee Branch, of Georgia, to be a member for the term of 6 years from January 1, 1945.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of William H. Burke, Jr., of Northampton, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

Mr. WALSH of Massachusetts. I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE COAST GUARD

The legislative clerk proceeded to read sundry nominations in the Coast Guard.

Mr. BARKLEY. I ask that the nominations in the Coast Guard be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Coast Guard nominations are confirmed en bloc.

THE NAVY

The legislative clerk read the nomination of Harry L. Merring, to be rear admiral in the Navy on the retired list, for temporary service, to continue while serving as Deputy Chief of Industrial Readjustment Branch of the Office of Procurement and Material.

Mr. WALSH of Massachusetts. I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH of Massachusetts. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed, and all previous confirmations of nominations of which notice has not been given to the President.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS TO FRIDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 5 o'clock and 1 minute p. m.) the Senate took a recess until Friday, November 24, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 22 (legislative day of November 21), 1944:

IN THE MARINE CORPS

Brig. Gen. Earl C. Long to be a major general in the Marine Corps, for temporary service, from the 7th day of January 1944.

Brig. Gen. Pedro del Valle to be a major general in the Marine Corps, for temporary service, from the 10th day of January 1944.

Brig. Gen. Louis E. Woods to be a major general in the Marine Corps, for temporary service, from the 10th day of September 1944.

Brig. Gen. Field Harris to be a major general in the Marine Corps, for temporary service, from the 10th day of September 1944.

Col. William T. Clement to be a brigadier general in the Marine Corps, for temporary service, from the 3d day of October 1942.

Col. Louis R. Jones to be a brigadier general in the Marine Corps, for temporary service, from the 4th day of October 1942.

Col. Joseph H. Fellows to be a brigadier general in the Marine Corps, for temporary service, from the 9th day of November 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 22 (legislative day of November 21), 1944:

OFFICE OF WAR MOBILIZATION AND RECONVERSION

Brig. Gen. Frank T. Hines, United States Army, to be Retraining and Reemployment Administrator.

THE JUDICIARY

UNITED STATES ATTORNEY

Charles H. Cashin, to be United States attorney for the western district of Wisconsin.

DEPARTMENT OF COMMERCE

CIVIL AERONAUTICS BOARD

Harlee Branch, to be a member of the Civil Aeronautics Board, for the term of 6 years from January 1, 1945.

COLLECTOR OF CUSTOMS

William H. Burke, Jr., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.

IN THE NAVY

TEMPORARY SERVICE

Harry L. Merring to be a rear admiral in the Navy, on the retired list, for temporary

service, to continue while serving as deputy chief of industrial readjustment branch of the Office of Procurement and Material.

IN THE MARINE CORPS

APPOINTMENTS IN THE MARINE CORPS

To be first lieutenants, to rank from September 1, 1939

William F. Hausman

To be second lieutenants, to rank from indicated dates

Jack Cosley, from February 9, 1942.
John W. Beebe, from February 9, 1942.
Kenneth D. Frazier, from March 12, 1942.
Arvid W. Blackmun, from March 12, 1942.
Clayton M. Canfield, from March 14, 1942.
Howard E. Cook, from March 14, 1942.
Taylor R. Roberts, from March 17, 1942.
Robert D. Bachtel, from March 25, 1942.
Robert F. Conley, from April 3, 1942.
John P. Long, from May 1, 1942.
Edwin E. Shifflett, from May 22, 1942.
Harold A. Langstaff, Jr., from June 19, 1942.
Gerald R. Graff, from June 19, 1942.
Ingram R. Rader, from July 13, 1942.
William A. Eddy, Jr., from August 7, 1943.
Warren R. Loney, from February 4, 1944.
Fred J. Kendall, from February 4, 1944.
Robert W. Tosch, from February 4, 1944.
Richard F. DeLamar III from May 2, 1944.

Robert P. Barnett, from May 2, 1944.
James E. Wallace, from May 2, 1944.
William E. Mack, from May 2, 1944.
Alfred A. Mannino, from May 2, 1944.
Stanley G. Raytinsky, Jr., from May 2, 1944.
Eugenous M. Hovatter, from July 26, 1944.
Howard F. Stevenson, from August 8, 1944.
John F. Graff, Jr., from August 8, 1944.

To be second lieutenants from August 8, 1944

Carl W. Hoffman
Leslie A. Gilson, Jr.
Joseph E. Fogg
Alfred A. Prusick
Ben E. Baker
Willmar M. Bledsoe
Frederick E. Malcolm

IN THE COAST GUARD

TEMPORARY SERVICE

Lyndon Spencer to be rear admiral while serving as assistant chief operations officer or in any other assignment for which the rank of rear admiral is authorized, to rank from October 1, 1944.

Robert Donohue to be rear admiral, to rank from June 30, 1942, while serving as chief, air sea rescue officer, or in any other assignment for which the rank of rear admiral is authorized.

Joseph F. Farley to be rear admiral to rank from November 1, 1943, while serving as chief

personnel officer or in any other assignment for which the rank of rear admiral is authorized.

To be commodores while serving under the conditions specified, to rank from October 1, 1944

Frederick P. Dillon, while serving as Chief, Aids to Navigation Division, or in any other assignment for which the rank of commodore is authorized.

LeRoy Reinberg, while serving as commandant, Coast Guard Yard, Curtis Bay, Md., or in any other assignment for which the rank of commodore is authorized.

Norman B. Hall, while serving as vice chairman, Merchant Marine Council, or in any other assignment for which the rank of commodore is authorized.

Raymond T. McElligott, while serving as assistant chief personnel officer, or in any other assignment for which the rank of commodore is authorized.

William J. Keester, while serving as inspector in chief, or in any other assignment for which the rank of commodore is authorized.

Halert C. Shepheard, while serving as Chief, Merchant Marine Inspection Division, or in any other assignment for which the rank of commodore is authorized.

11. 1. 18.

2. 4.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 25, 1944, for actions of Friday, November 24, 1944)

(For staff of the Department only)

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HOUSE

1. ROAD-AUTHORIZATION BILL. Began debate on this bill, H. R. 4915 (pp. 8507-35). Rep. Robinson, Utah, discussed the provisions of the bill, inserted a table showing "State estimates of ability to match apportionment under H. R. 4915," discussed with several members the apportionment of amounts for farm-to-market and secondary and feeder roads, and inserted several committee-approved amendments which proposed increases for farm-to-market authorizations (pp. 8507-17). Rep. Smith, Ohio, inserted the American Automobile Association resolution urging that the Federal-aid highway policy be determined by needs of national significance, that Federal aid be on a 50% basis, that Federal-aid funds should be charged against general Government revenues, and that the traditional formula for the apportionment of Federal aid should be revised (pp. 8520-1). Rep. Whittington, Miss., spoke favoring this bill and discussed the difference in amounts received by the States under the old and new formulas (pp. 8522-8). Rep. Vursell, Ill., urged that greater provision be made for rural roads (pp. 8530-1).
2. PERSONNEL; TRAVEL. Expenditures in the Executive Departments Committee reported without amendment H. R. 4547, to permit the compensation, on a mileage basis, of civilian officers or employees for the use of privately-owned airplanes while traveling on official business (H. Rept. 1933) (p. 8536).
3. ADJOURNED until Mon., Nov. 27 (p. 8536).

SENATE

4. FLOOD CONTROL. Continued debate on H. R. 4485, the Whittington flood-control bill (pp. 8478-503).
Rejected, 27-42, the committee amendment providing for the disposition of surplus electric energy by the Secretary of the Interior, as modified by amendments by Sen. Bailey, N. C., to provide for the complete coordination of such power with other power developments within a given area; by Sen. Bankhead, Ala., to provide that nothing in the amendment shall prohibit the building of transmission lines by the Federal Government to supply rural electric associations organized for the purpose of supplying electric energy to rural districts; Sen. Maloney, Conn., to provide that the Secretary of

Interior may construct transmission lines for the purpose of selling power at wholesale unless 90 percent of the firm power produced at such projects shall be purchased upon completion of construction of such projects (pp. 8481-90).

Rejected the committee amendment, providing for the disposition of surplus electric energy by the Secretary of the Interior, as modified by Sen. McClellan's (Ark.) amendment to stipulate that, in connection with any sale, any and all savings realized by the purchasers shall be passed on, under Federal regulation where no State regulation exists, to the consuming public (pp. 8490-2).

Sen. Millikin, Colo., for himself and Sen. Johnson, Colo., submitted an amendment which would include in the Arkansas River Basin project the storage in reservoirs upstream from Trinidad, if the Secretary of War and the Chief of Engineers find such action advisable for flood control and in order to make more water available for agricultural and industrial uses without impairment of flood control for Trinidad (pp. 8502-3). This amendment was carried over.

During the debate Sen. Barkley stated that ^{he hoped that} no difficulty will be encountered in completing action of this bill and also the river-and-harbor bill H. R. 3961, by the end of next week (p. 8493).

Sens. Butler, Nebr., Murray, Mont., and Clark, Mo., discussed the provision in this bill which Sen. Murray claimed would "foreclose the possibility of a Missouri Valley Authority." Sen. Clark stated that this "would certainly not interfere with any future legislation which Congress might see fit to enact." (p. 8495).

Sens. Overton, La., Aiken, Vt., and Murray, Mont., and others discussed the St. Lawrence Waterway provision (pp. 8497-502).

5. LEND-LEASE. Both Houses received from the President the 7th report on lend-lease operations, in which he stated that lend-lease "should end with the war" but that the united nations "partnership" must continue and grow stronger to assure an enduring peace. To Senate Foreign Relations Committee and House Foreign Affairs Committee. (pp. 8472-3, 8506-7.)
6. RECLAMATION. Received from the Secretary of the Interior a letter stating that certain proposals in connection with the flood-control and rivers-harbors bills "would breach the long-established policies of the Congress under which reclamation development in the West has proceeded." To Irrigation and Reclamation Committee. (p. 8475.)
7. RECONSTRUCTION FINANCE CORPORATION. Both Houses received RFC's August-1944 report. To Banking and Currency Committees. (pp. 8475, 8536.)
8. ST. LAWRENCE WATERWAY. Sen. Aiken, Vt., spoke in favor of this project (pp. 8476-7).
9. WATER UTILIZATION. Sen. Connally, Tex., inserted the protocol supplementary to the treaty between the U. S. and Mexico regarding utilization of waters of the Colorado and Tijuana Rivers (pp. 8477-8).
10. ADJOURNED until Mon., Nov. 27 (p. 8503).

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 24 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENTS

Intended to be proposed by Mr. O'MAHONEY (for himself, Mr. AUSTIN, Mr. BUSHFIELD, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOWNEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. McCARRAN, Mr. McFARLAND, Mr. MILLIKIN, Mr. MURDOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERTSON, Mr. SCRUGHAM, Mr. THOMAS of Utah, Mr. THOMAS of Idaho, Mr. WHEELER, and Mr. WILSON) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: At the proper place in the bill insert the following:

- 1 "In connection with the exercise of jurisdiction over
- 2 the rivers of the Nation through the construction of works
- 3 of improvement, for navigation or flood control, it is hereby
- 4 declared to be the policy of the Congress to recognize the

1 interests and rights of the States in determining the develop-
2 ment of the watersheds within their borders and likewise
3 their interests and rights in water utilization and control, as
4 herein authorized to preserve and protect to the fullest possible
5 extent established and potential uses, for all purposes, of the
6 waters of the Nation's rivers; to facilitate the consideration
7 of projects on a basis of comprehensive and coordinated
8 development; and to limit the authorization and construction
9 of navigation works to those in which a substantial benefit to
10 navigation will be realized therefrom and which can be
11 operated consistently with appropriate and economic use of
12 the waters of such rivers by other users.

13 "In conformity with this policy:

14 "(a) Plans, proposals, or reports of the Chief of Engi-
15 neers, War Department, for any works of improvement for
16 navigation or flood control not heretofore or herein author-
17 ized, shall be submitted to the Congress only upon compliance
18 with the provisions of this paragraph (a). Investigations
19 which form the basis of any such plans, proposals, or reports
20 shall be conducted in such a manner as to give to the affected
21 State or States, during the course of the investigations, in-
22 formation developed by the investigations and also oppor-
23 tunity for consultation regarding plans and proposals, and,
24 to the extent deemed practicable by the Chief of Engineers,
25 opportunity to cooperate in the investigations. If such

1 investigations in whole or part are concerned with the use
2 or control of waters arising west of the ninety-seventh merid-
3 ian, the Chief of Engineers shall give to the Secretary of
4 the Interior, during the course of the investigations, informa-
5 tion developed by the investigations and also opportunity for
6 consultation regarding plans and proposals, and to the extent
7 deemed practicable by the Chief of Engineers, opportunity
8 to cooperate in the investigations. The relations of the
9 Chief of Engineers with any State under this paragraph (a)
10 shall be with the Governor of the State or such official or
11 agency of the State as the Governor may designate. The
12 term 'affected State or States' shall include those in which
13 the works or any part thereof are proposed to be located;
14 those which in whole or part are both within the drainage
15 basin involved and situated in a State lying wholly or in
16 part west of the ninety-eighth meridian; and such of those
17 which are east of the ninety-eighth meridian as, in the
18 judgment of the Chief of Engineers, will be substantially
19 affected. Such plans, proposals, or reports and related in-
20 vestigations shall be made to the end, among other things,
21 of facilitating the coordination of plans for the construction
22 and operation of the proposed works with other plans involv-
23 ing the waters which would be used or controlled by such
24 proposed works. Each report submitting any such plans
25 or proposals to the Congress shall set out therein, among

1 other things, the relationship between the plans for con-
2 struction and operation of the proposed works and the plans,
3 if any, submitted by the affected States and by the Secretary
4 of the Interior. The Chief of Engineers shall transmit a
5 copy of his proposed report to each affected State, and, in
6 case the plans or proposals covered by the report are con-
7 cerned with the use or control of waters which rise in whole
8 or in part west of the ninety-seventh meridian, to the Secre-
9 tary of the Interior. Within ninety days from the date of
10 receipt of said proposed report, the written views and recom-
11 mendations of each affected State and of the Secretary of the
12 Interior may be submitted to the Chief of Engineers. The
13 Secretary of War shall transmit to the Congress, with such
14 comments and recommendations as he deems appropriate,
15 the proposed report together with the submitted views and
16 recommendations of affected States and of the Secretary
17 of the Interior. The Secretary of War may prepare and
18 make said transmittal any time following said ninety-day
19 period. The letter of transmittal and its attachments shall be
20 printed as a House or Senate document.

21 “(b) The authorizations for projects described as follows
22 in this Act shall be subject to the provisions of this para-
23 graph (b) :

24 “Youghiogeny River Basin.

25 “Raystown Reservoir on the Juniata River.

1 "Connecticut River Basin.

2 "Section 3 of the Act approved August 18, 1941 (55
3 Stat. 638), paragraph entitled 'Connecticut River Basin', is
4 amended by striking out the words 'with such further modi-
5 fications as may be found justifiable in the discretion of the
6 Secretary of War and the Chief of Engineers'.

7 "If a written objection to the authorization of any of the
8 above-described projects is filed with the Secretary of War
9 within ninety days after the date of such authorization or
10 the date of this Act, whichever may be later, by the Gov-
11 ernor of any affected State (as defined in paragraph (a)
12 of this section), then the Chief of Engineers (1) shall give
13 opportunity to be heard to representatives accredited by the
14 Governor of each affected State; (2) shall undertake such
15 investigations or reinvestigations as he deems appropriate in
16 the circumstances; and (3) shall prepare a review report and
17 recommendations in the light of said objections and hearings
18 and shall transmit a copy thereof to each affected State. The
19 review report shall be of such scope as the Chief of Engineers
20 deems appropriate in the circumstances. Thereupon, within
21 ninety days from the date of receipt of said review report, the
22 written views and recommendations of each such State may
23 be submitted to the Chief of Engineers. The Secretary of
24 War shall transmit to the Congress, with such comments and

1 recommendations as he deems appropriate, the review report,
2 together with the submitted views and recommendations of
3 such States. The Secretary of War may prepare and make
4 said transmittal any time following said ninety-day period.
5 The letter of transmittal and its attachments shall be printed
6 as a House or Senate document. The authorization in ques-
7 tion, with such modifications of the plans for works as may
8 have been recommended in the review report of the Chief
9 of Engineers, shall be effective on the date when said docu-
10 ment is printed, if the Secretary of War concurs in said
11 review report and if there is no objection thereto set forth
12 in a submission of views and recommendations made by a
13 State in accordance with the above procedure. The author-
14 ization, if objections thereto are set forth in such a submission,
15 shall not be effective unless and until otherwise provided by
16 subsequent Act of Congress.

17 "Any authorization hereafter made based on a plan,
18 proposal, or report which has been made to the Congress
19 prior to the date of this Act but which has not been hereto-
20 fore or herein authorized, shall likewise be subject to the
21 provisions of this paragraph (b).

22 "(c) The use for navigation, in connection with
23 the operation and maintenance of such works herein
24 authorized for construction, of waters arising in States lying
25 wholly or partly west of the ninety-eighth meridian shall be

1 only such use as does not conflict with any beneficial con-
2 sumptive use, present or future, in States lying wholly or
3 partly west of the ninety-eighth meridian, of such waters for
4 domestic, municipal, stock water, irrigation, mining, or in-
5 dustrial purposes.

6 “(d) The Secretary of the Interior, in making investi-
7 gations of and reports on works for irrigation and purposes
8 incidental thereto shall, in relation to an affected State or
9 States (as defined in paragraph (a) of this section), and to
10 the Secretary of War, be subject to the same provisions re-
11 garding investigations, plans, proposals, and reports as pre-
12 scribed in paragraph (a) of this section for the Chief of
13 Engineers and the Secretary of War. In the event a sub-
14 mission of views and recommendations, made by an affected
15 State or by the Secretary of War pursuant to said provisions,
16 sets forth objections to the plans or proposals covered by the
17 report of the Secretary of the Interior, on grounds not in-
18 consistent with paragraph (c) of this section, the proposed
19 works shall not be deemed authorized except upon approval
20 by an Act of Congress; and subsection 9 (a) of the Recla-
21 mation Project Act of 1939 (53 Stat. 1187) and subsection
22 3 (a) of the Act of August 11, 1939 (53 Stat. 1418), as
23 amended, are hereby amended accordingly.”

24 On page 5, strike out lines 8 to 16, inclusive, and
25 insert the following:

1 “SEC. 6. That the Secretary of War is authorized to
2 contract for water storage for any beneficial uses or purposes
3 with States, legal subdivisions thereof, State and interstate
4 agencies, municipalities, public, quasi public, or private
5 corporations, firms, associations, or individuals on such
6 terms and conditions as he may deem reasonable, when
7 storage capacity for any such uses or purposes is or may
8 be made available at any reservoir now or hereafter con-
9 structed by the War Department: *Provided*, That the right
10 to the use of water for such purposes shall have been estab-
11 lished by proceedings in conformity with State laws: *And*
12 *provided further*, That no such water storage shall be in
13 conflict with, or adversely affect, then existing lawful uses
14 of water. All moneys received from such contracts shall
15 be deposited in the Treasury of the United States as miscel-
16 laneous receipts.”

17 On page 5, strike out line 25 and lines 1 to 11,
18 inclusive, on page 6 and insert in lieu thereof the following:

19 “SEC. 8. Hereafter, whenever the Secretary of War
20 determines, upon recommendation by the Secretary of the
21 Interior, that in connection with any dam and reservoir
22 project constructed or to be constructed by the Secretary
23 of War additional works for the diversion and distribution
24 of water may be utilized for irrigation, the Secretary of the
25 Interior is authorized to make a report and findings on the

1 construction of such additional works for the diversion and
2 distribution of water as he may deem necessary for such
3 purposes. Such report and findings shall be made in ac-
4 cordance with and subject to the provisions of the Federal
5 reclamation laws (Act of June 17, 1902 (32 Stat. 388),
6 and Acts amendatory thereof or supplemental thereto).
7 Within the limits of the water users' repayment ability,
8 such report may be predicated on the allocation to irriga-
9 tion of an appropriate portion of the cost of structures and
10 facilities used for irrigation. After specific authorization of
11 the Congress by an authorization act, the Secretary of the
12 Interior shall construct, operate, and maintain such additional
13 works in accordance with said Federal reclamation laws and
14 shall be authorized to deliver to such lands such portion of
15 the water made available by said dam and reservoir project
16 as may be set forth in said report and findings of the Secre-
17 tary of the Interior or as may be otherwise provided by law.
18 The provisions of this section shall not prejudice lawful uses
19 then existing nor water rights or priorities established under
20 applicable State laws, and shall not apply to any dam or
21 reservoir heretofore or hereafter constructed which supple-
22 ments any existing locally operated irrigation system or
23 other locally operated water facilities, nor shall this section
24 nor the provisions of section 6 hereof apply to any dam
25 or reservoir heretofore constructed in whole or in part by

1 the Army engineers, which provides conservation storage
2 of water for irrigation purposes.”

3 On page 20, strike out lines 5 to 25, inclusive, and on
4 page 21 strike out lines 1 and 2.

5 On page 7, between lines 11 and 12, insert the follow-
6 ing new section:

7 “SEC. 9. (a) The general comprehensive plans set forth
8 in House Document 475 and Senate Document 191, seventy-
9 eighth Congress, second session, as revised and coordinated
10 by Senate Document 247, seventy-eighth Congress, second
11 session, are hereby approved and the initial stages recom-
12 mended are hereby authorized and shall be prosecuted by
13 the War Department and the Department of the Interior
14 as speedily as may be consistent with budgetary require-
15 ments.

16 “(b) The general comprehensive plan for flood control
17 and other purposes in the Missouri River Basin approved by
18 the Act of June 28, 1938, as modified by subsequent Acts,
19 is hereby expanded to include the works referred to in para-
20 graph (a) to be undertaken by the War Department; and
21 said expanded plan shall be prosecuted under the direction
22 of the Secretary of War and supervision of the Chief of
23 Engineers.

24 “(c) Subject to the basin-wide findings and recom-
25 mendations regarding the benefits, the allocations of costs and

1 the repayments by water users, made in said House and
2 Senate documents, the reclamation and power developments
3 to be undertaken by the Secretary of the Interior under said
4 plans, and the disposition of power generated at dams to be
5 undertaken by the Corps of Engineers under said plans, shall
6 be governed by the Federal Reclamation Laws (Act of June
7 17, 1902, 32 Stat. 388, and Acts amendatory thereof or
8 supplementary thereto), except that irrigation of Indian trust
9 and tribal lands, and repayment therefor, shall be in accord-
10 ance with the laws relating to Indian lands.

11 “(d) In addition to previous authorizations there is
12 hereby authorized to be appropriated the sum of \$200,-
13 000,000 for the partial accomplishment of the works to be
14 undertaken under said expanded plans by the Corps of
15 Engineers.

16 “(e) The sum of \$200,000,000 is hereby authorized to
17 be appropriated for the partial accomplishment of the works
18 to be undertaken under said plans by the Secretary of the
19 Interior.”

20 On page 7, line 12, strike out “7” and insert “10”.

AMENDMENTS

Intended to be proposed by Mr. O'MAHONEY (for himself, Mr. AUSTIN, Mr. BUSHFIELD, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOWNEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. MCCARRAN, Mr. MCFARLAND, Mr. MILLIKIN, Mr. MURDOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERTSON, Mr. SCRUGHAM, Mr. THOMAS of Utah, Mr. THOMAS of Idaho, Mr. WHEELER, and Mr. WILSON) to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 24 (legislative day, NOVEMBER 21), 1944
Ordered to lie on the table and to be printed

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 24 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. BURTON to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz: On page 38, between lines 11 and 12, insert the following:

- 1 Leatherwood Creek, Ohio, with particular reference to
- 2 flood control and water supply for Cambridge, Ohio.

11-24-44—B

78TH CONGRESS
2^D SESSION

H. R. 4485

AMENDMENT

Intended to be proposed by Mr. BURTON to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 24 (legislative day, NOVEMBER 21), 1944
Ordered to lie on the table and to be printed

joint legislative action of the legislatures in Canada and the United States.

Any attempt made by opponents of the project to raise the issue of treaty versus agreement is an obstructionist tactic to frustrate the will of the people and to break the pledges of both major parties and their leaders for 30 years. At a time when both parties are dedicated to creating unity in the world for peace and prosperity, a recalcitrant minority representing sectional or special interests must not be allowed to divide our country and to destroy the constructive program of both parties for creative employment for war workers and returning veterans.

The National St. Lawrence Association, therefore, commends the announced intention of Senator GEORGE D. AIKEN to obtain early approval of the St. Lawrence project on the floor of the Senate, and appreciates the support of President Roosevelt and Majority Leader BARKLEY for Senator AIKEN'S program of action.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Public Lands and Surveys:

S. 1581. A bill to authorize the Secretary of War to acquire lands and provide facilities to replace Indian fishing grounds submerged or destroyed as a result of the construction of the Bonneville Dam; without amendment (Rept. No. 1189);

H. R. 1654. A bill to authorize the acquisition, rehabilitation, and operation of the facilities for the public in the Olympic National Park, in the State of Washington, and for other purposes; without amendment (Rept. No. 1190); and

H. R. 5232. A bill to transfer jurisdiction over the Chattanooga National Cemetery, Chattanooga, Tenn., from the Department of the Interior to the War Department, and for other purposes; without amendment (Rept. No. 1191).

By Mr. GURNEY, from the Committee on Public Lands and Surveys:

S. 2141. A bill to provide for the acceptance and protection by the United States of property within the authorized boundaries of the Everglades National Park project, Florida, pending the establishment of the park, and for other purposes; without amendment (Rept. No. 1192).

By Mr. ELLENDER, from the Committee on Claims:

H. R. 4366. A bill for the relief of Alex Wylie and the estate of James Evans; with an amendment (Rept. No. 1193).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ELLENDER:

S. 2198. A bill for the relief of the New England Telephone & Telegraph Co.; to the Committee on Claims.

By Mr. WALSH of Massachusetts:

S. 2199. A bill to provide reimbursement for personal property lost, damaged, or destroyed, as the result of an explosion at the Naval Air Station, Norfolk, Va., on September 17, 1943; to the Committee on Naval Affairs.

(Mr. BUSHFIELD introduced S. J. Res. 157, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. CONNALLY:

S. J. Res. 158. Joint resolution recognizing the outstanding service rendered to the United Nations by Field Marshal Sir John Dill; to the Committee on Foreign Relations.

ELECTION OF THE PRESIDENT AND VICE PRESIDENT BY POPULAR VOTE—PROPOSED CONSTITUTIONAL AMENDMENT

Mr. BUSHFIELD. I ask unanimous consent to introduce for appropriate reference a joint resolution proposing an amendment to the Constitution of the United States. The purpose of the joint resolution is to abolish the electoral college and to make the selection of President and Vice President by popular vote.

There being no objection, the joint resolution (S. J. Res. 157) proposing an amendment to the Constitution of the United States relating to the election of the President and the Vice President, was received, read twice by its title and referred to the Committee on the Judiciary.

HOUSE BILL REFERRED

The bill (H. R. 4911) to amend the Federal Crop Insurance Act, was read twice by its title and referred to the Committee on Agriculture and Forestry.

RIVER AND HARBOR IMPROVEMENTS—AMENDMENT

MR. TYDINGS submitted an amendment intended to be proposed by him to the bill (H. R. 3691) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

FLOOD CONTROL PROJECTS—AMENDMENTS

Mr. O'MAHONEY (for himself, Mr. AUSTIN, Mr. BUSHFIELD, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOWNEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. McCARRAN, Mr. MCFARLAND, Mr. MILLIKIN, Mr. MURDOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERTSON, Mr. SCRUGHAM, Mr. THOMAS of Utah, Mr. THOMAS of Idaho, Mr. WHEELER, and Mr. WILSON) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. BURTON submitted an amendment intended to be proposed by him to House bill 4485, supra, which was ordered to lie on the table and to be printed.

Mr. ROBERTSON (for Mr. BUCK) submitted an amendment intended to be proposed by Mr. BUCK to House bill 4485, supra, which was ordered to lie on the table and to be printed.

Mr. MILLIKIN (for himself and Mr. JOHNSON of Colorado) submitted an amendment intended to be proposed by them jointly to House bill 4485, supra, which was ordered to lie on the table and to be printed.

INVESTIGATION OF INTERNATIONAL COMMUNICATIONS BY WIRE AND RADIO—INCREASE IN LIMIT OF EXPENDITURES

Mr. MCFARLAND (for himself, Mr. WHEELER, and Mr. WHITE) submitted the following resolution (S. Res. 340), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures of the Committee on Interstate Commerce under Senate Resolution 268, Seventy-eighth Congress, agreed to March 29, 1944 (relating to an investigation of international communications by wire and radio), is hereby increased by \$10,000.

REVIEW OF REPORTS ON GULF INTRACOASTAL WATERWAY (S. DOC. NO. 248)

Mr. CONNALLY presented a letter from the Secretary of War, transmitting a report dated October 7, 1944, from the Chief of Engineers, United States Army, on a review of reports on the Gulf Intracoastal Waterway, with a view to determining if it is advisable to modify the existing project in any way, particularly with reference to the construction of a side channel and turning basin in Red Fish Bay, which, with the accompanying report, was referred to the Committee on Commerce and ordered to be printed with an illustration.

UTILIZATION OF WATERS OF THE COLORADO AND TIJUANA RIVERS AND OF THE RIO GRANDE—PROTOCOL

As in executive session,

Mr. CONNALLY. Mr. President, the President of the United States has sent to the Senate a protocol supplementary to the treaty between the United States and Mexico with reference to the waters of the Colorado and Tijuana Rivers and the Rio Grande. I ask unanimous consent that the protocol be referred to the Committee on Foreign Relations, and that the ban of secrecy be removed therefrom.

The VICE PRESIDENT. Without objection, as in executive session, the request of the Senator from Texas is granted, and the protocol will be published in the RECORD.

The protocol (Executive H, Seventy-eighth Congress, second session) is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a protocol, signed in Washington on November 14, 1944, supplementary to the treaty between the United States of America and the United Mexican States relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande (Rio Bravo) which was signed in Washington on February 3, 1944.

I also transmit for the information of the Senate a report on the protocol made to me by the Acting Secretary of State.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, November 24, 1944.

[Enclosures: 1. Report of the Acting Secretary of State.

2. Protocol, signed November 14, 1944, supplementary to treaty between United States and Mexico signed February 3, 1944.]

DEPARTMENT OF STATE,
Washington, November 22, 1944.

The PRESIDENT,
The White House.

Mr. PRESIDENT: The undersigned, the Acting Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, a protocol, signed in Washington on November 14, 1944,

supplementary to the treaty between the United States of America and the United Mexican States relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande (Rio Bravo), which was signed in Washington on February 3, 1944.

The treaty of February 3, 1944, was transmitted to the Senate by the President with his message of February 15, 1944, with a view to receiving the advice and consent of the Senate to ratification thereof. The texts of the treaty and of the President's message, together with the text of the report of the Secretary of State dated February 9, 1944, have been printed in Senate Executive A, Seventy-eighth Congress, second session. The treaty was referred to the Committee on Foreign Relations of the Senate on February 15, 1944.

The purpose of the protocol is to clarify the meaning and application of those provisions of the treaty which relate to the functions and jurisdiction of the respective sections of the International Boundary and Water Commission in connection with the construction or use of works for storage or conveyance of water, flood control, stream gaging, or for any other purpose.

By its own terms the protocol is to be regarded as an integral part of the treaty of February 3, 1944, and shall be effective beginning with the day of the entry into force of the treaty, continuing effective so long as the treaty remains in force. Accordingly, after such time as the Senate may have given its advice and consent to the ratification of the treaty and protocol, the protocol should be ratified together with the treaty. It is provided in the protocol, as in the treaty, that the ratifications shall be exchanged in Washington.

Respectfully submitted.

EDWARD R. STETTINIUS, Jr.,
Acting Secretary of State.

[Enclosure: Protocol, signed November 14, 1944, supplementary to treaty between United States and Mexico relating to waters of the Colorado and Tijuana Rivers and of the Rio Grande signed February 3, 1944.]

PROTOCOL

The Government of the United States of America and the Government of the United Mexican States agree and understand that:

Wherever, by virtue of the provisions of the Treaty between the United States of America and the United Mexican States, signed in Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Texas, to the Gulf of Mexico, specific functions are imposed on, or exclusive jurisdiction is vested in, either of the Sections of the International Boundary and Water Commission, which involve the construction or use of works for storage or conveyance of water, flood control, stream gaging, or for any other purpose, which are situated wholly within the territory of the country of that Section, and which are to be used only partly for the performance of treaty provisions, such jurisdiction shall be exercised, and such functions, including the construction, operation, and maintenance of the said works, shall be performed and carried out by the Federal agencies of that country which now or hereafter may be authorized by domestic law to construct, or to operate and maintain, such works. Such functions or jurisdictions shall be exercised in conformity with the provisions of the Treaty and in cooperation with the respective Section of the Commission, to the end that all international obligations and functions may be coordinated and fulfilled.

The works to be constructed or used on or along the boundary, and those to be constructed or used exclusively for the discharge of treaty stipulations, shall be under the jurisdiction of the Commission or of the re-

spective Section, in accordance with the provisions of the Treaty. In carrying out the construction of such works the Sections of the Commission may utilize the services of public or private organizations in accordance with the laws of their respective countries.

This Protocol, which shall be regarded as an integral part of the aforementioned Treaty signed in Washington on February 3, 1944, shall be ratified and the ratifications thereof shall be exchanged in Washington. This Protocol shall be effective beginning with the day of the entry into force of the Treaty and shall continue effective so long as the Treaty remains in force.

In witness whereof the respective Plenipotentiaries have signed this Protocol and have hereunto affixed their seals.

Done in duplicate, in the English and Spanish languages, in Washington, this fourteenth day of November, 1944.

For the Government of the United States of America:

[SEAL] E. R. STETTINIUS, Jr.,
*Acting Secretary of State
of the United States of America.*

For the Government of the United Mexican States.

[SEAL] F. CASTILLO NÁJERA,
Ambassador Extraordinary and Plenipotentiary of the United Mexican States in Washington.

C. I. O. CONVENTION ADDRESS BY THE VICE PRESIDENT

[Mr. LUCAS asked and obtained leave to have printed in the RECORD the address delivered by the Vice President at the annual convention of the C. I. O. in Chicago, Ill., on November 21, 1944, which appears in the Appendix.]

REORGANIZATION OF CONGRESS—ADDRESS BY SENATOR DAVIS BEFORE PITTSBURGH LEAGUE OF WOMEN VOTERS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address entitled "Reorganization of Congress," delivered by him before the League of Women Voters at Pittsburgh, Pa., on October 6, 1944, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR ELLISON D. SMITH

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial tribute to the late Senator Ellison D. Smith, of South Carolina, published in the State, of Columbia, S. C., of November 18, 1944, which appears in the Appendix.]

EDITORIAL TRIBUTES TO JAMES A. FARLEY

[Mr. GERRY asked and obtained leave to have printed in the RECORD an editorial entitled "'Jim' Farley, Business Man," published in the Tucson Daily Citizen for June 12, 1944, and an editorial entitled "Jim Farley's Americanism," published in the Savannah News for July 24, 1944, which appear in the Appendix.]

TRIBUTE TO JOSEPHUS DANIELS BY RALPH MCGILL

[Mr. HILL asked and obtained leave to have printed in the RECORD an article by Ralph McGill, entitled "Greatest Southerner?" paying tribute to Josephus Daniels, which appears in the Appendix.]

WELCOME TO THE PRESIDENT ON HIS RETURN TO WASHINGTON—ARTICLE BY JAMES E. CHINN

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by James E. Chinn, published in the Washington Post, describing the welcome to the President of the United States on his return to Washington after the election, which appears in the Appendix.]

MEDICAL PROBLEMS PRESENTED BY AVIATION—PAPER BY DR. A. J. HERBOLSHEIMER

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a paper on the subject of the medical problems presented by aviation, prepared by Dr. A. J. Herbolsheimer, Assistant Chief of the Aviation Medical Division, Civil Aeronautics Administration, which appears in the Appendix.]

DEVELOPMENT OF ST. LAWRENCE RIVER—EDITORIAL COMMENT

[Mr. AIKEN asked and obtained leave to have printed in the RECORD two editorials and an article on the subject of the St. Lawrence waterway development, which appear in the Appendix.]

THE ST. LAWRENCE SEAWAY—EDITORIAL FROM ST. CLOUD (MINN.) TIMES

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "East Still Fights Seaway," published in the St. Cloud (Minn.) Times for November 17, 1944, which appears in the Appendix.]

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as modified, to insert section 5, on which the yeas and nays have been ordered. The clerk will read the agreement providing for limitation of debate.

The legislative clerk read as follows:

Ordered by unanimous consent, That during the further consideration of the pending amendment (Bailey amendment) no Senator shall speak more than once or longer than 15 minutes on the amendment or any amendment thereto.

Mr. PEPPER obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. PEPPER. If my time will not begin to run until I begin to speak, I shall not be embarrassed by the limitation on debate, but I think the limitation on debate really applies from the time the Senator from Florida was recognized. Otherwise I should be very glad to yield.

Mr. HATCH. I withdraw the request.

Mr. HILL. Will the Senator yield so that I may suggest the absence of a quorum?

Mr. PEPPER. Mr. President, would the time for a quorum call be taken out of the time of the speaker?

The VICE PRESIDENT. A quorum call would come out of the Senator's time.

Mr. PEPPER. Very well, then I shall proceed.

Mr. President, the amendment pending before the Senate, known as the Bailey amendment, in my opinion is a very critical subject for the Senate to discuss. The able chairman of the Committee on Commerce, of which I have had the honor to be a member since I have been in the Senate, I think intends to reverse the public power policy of the United States Government. I do not think the able Senator has been reluctant to express that purpose. I am sure that those who have made a study of the amendment would agree that if

the amendment were adopted it would have that effect.

I cannot but imagine, as I contemplate this amendment and the proposed change in the power policy of the United States, what sentiments would be expressed in the Senate upon this amendment by that great soul now departed from us who formerly was the symbol for the protection of public power in America, and the development of America's resources for public use, the lamented Senator George W. Norris, of Nebraska. I believe there is not a Senator on this floor who does not believe that if Senator George W. Norris were a Member of this body the full weight of his eloquence, and character, and ability, would be thrown against the amendment, for Senator George W. Norris would recognize that the amendment proposed practically would strangle the distribution of public power at the very source of it, the dam at which the power was generated.

Mr. President, my State is so geographically constituted that it has very little opportunity for the development of hydroelectric power. I wish the opportunities were greater. But in the last few months as on previous occasions, it has been my privilege to visit the great West, and particularly the areas around about those mighty dams which have been constructed in that section, the Coulee Dam, the Bonneville Dam, the Boulder Dam, and others in other parts of our country. I know that if we permit the adoption of such an amendment as is pending here today it will mean the strangulation of the distribution of that public power. It will retard and prevent the development of those great areas now in process of consummation, agriculturally and industrially. It will mean that where arid lands are today there will continue to be arid lands, instead of fertile lands watered into great fruitfulness by the magnificent sources of power which have been created there by public act. It will mean, Mr. President, that those arid lands will continue to be desert instead of the sites of great cities, as will occur if we permit the progression and the expansion of the public power policies which have been followed by the Government essentially since this administration has been in power.

The amendment of the Commerce Committee as it was originally reported provided adequate safeguards for private power companies. It provided that the Secretary of the Interior should not have authority to build distribution lines unless it were necessary in the public interest to do so; that is to say, unless it were necessary to build those lines by the Government in order to afford a proper distribution of public power at reasonable rates.

Those two requirements are singularly absent from the amendment of the able chairman of the committee. He provides that the Government cannot build an extension line unless an offer is made by a private company for the purchase of the power, or unless private companies do purchase the power. But, Mr. President, it will be noted it does not provide the safeguard the original amendment pro-

vides, that the distribution of the power must cover the area which properly should be served, at fair and reasonable rates. If a private company offered to take all the power which the dam generated and produced, or 90 percent of it, and distribute it in a small segment of the area which should be served by the great dam, then the amendment of the Senator from North Carolina would be satisfied, and there would be no power on the part of public authority to serve the rural sections or the other areas in that larger area which should be the beneficiaries of this great source of hydroelectric power.

Moreover, Mr. President, if the private company said, "Yes, we will take 90 percent of the power generated, but we are going to distribute at rates which we desire, or which we may be able to get by a State regulatory agency," that, too, would satisfy the requirements of the Bailey amendment, that would prohibit any public authority from extending lines out into the area which should be served in order to get that publicly generated power into the hands of users at reasonable rates.

So, Mr. President, it might as well be admitted that the purpose of the amendment is to protect the private power companies and deprive the people of the use of public power generated at public expense and which ought to be for public use. To my mind this proposal represents a brazen effort to reverse the public power policy of this Government, which has been initiated and carried out under this administration.

It seems to me, therefore, Mr. President, that those who are aware of what has been accomplished by this policy in all sections of the country would join in a concerted effort to defeat the amendment. It would seem to me especially that Senators who come from the great West, where dams have already been built, would not permit the strangulation of their cities and the fertile farms which are to grow around the dams, by the adoption of such a policy as is proposed by the amendment. It would seem to me that Senators who contemplate the improvement and development of the great rivers yet to be harnessed by other power authorities—and, as I recall, the President in one of his speeches during the campaign enumerated six or eight great river systems with respect to which authorities ought to be set up in order to harness the power of those streams and turn them into the service of the public—would come to the side of those who are opposed to this amendment.

It would further seem to me that all those interested in the opening up of the great mineral resources of the West and other areas of the country where such resources are to be found would not desire to deny to the public the power necessary to help them in the development of those resources by changing the power policy of the United States as is contemplated by the pending amendment.

Mr. President, a little while ago there were some of us who thought that it might be the policy of some, if they came into power in the Government, to do something like this, because a very

able gentleman, seeking a high office, speaking in Portland, Oreg., Governor Bricker, of Ohio, announced that it was his opinion—I suppose he meant to say it was the policy of his party, or at least his policy and that of his running mate—that public power should not be publicly distributed from the site of the dam. There were a great many people in the West to my personal knowledge who thought they could appreciate the significance of that proposal and were grievously concerned about it. I believe that it has been the action of the people of this country to discourage that kind of proposed alteration in the power policy of the country, and to preserve the policy which we have so successfully pursued in the years past. That policy has not taken any advantage of any private power company. It has not, as is feared by the able chairman of the committee, duplicated the line of a private company without satisfying the constitutional requirement of paying the company the fair value of the private line of which it has been dispossessed. There can be no reasonable fear based on the experience of the past, therefore, that any private company is about to be ousted from the enjoyment of its proper field. It would seem to me therefore Mr. President, that it is not experience, it is not proven results of the power policy of this Government which dictate this amendment, but it is the wish to serve the private instead of the public interest; the wish to see these great resources enjoyed for private profit rather than for public use, which actuates those who believe in such amendment as is proposed here today.

I hope therefore that the people of the West will not be disappointed, I hope that those living in the vicinity of these great rivers yet to be harnessed will not be disappointed by action taken in the Senate today. I hope other sections of the country, including my own South, which are in process of having their own resources tapped and their own rivers harnessed, may not be disappointed by the action which the Senate will take today. It is my belief therefore that the amendment is not in the public interest and should be defeated.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as modified.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Cordon	Kilgore
Austin	Davis	La Follette
Bailey	Downey	Langer
Ball	Ellender	Lucas
Bankhead	Ferguson	McClellan
Barkley	George	McFarland
Bilbo	Geary	McKellar
Brooks	Gillette	Maloney
Burton	Green	Maybank
Bushfield	Guffey	Mead
Butler	Gurney	Millikin
Byrd	Hatch	Murray
Capper	Hayden	Nye
Caraway	Hill	O'Daniel
Chandler	Jenner	O'Mahoney
Clark, Mo.	Johnson, Calif.	Overton
Connally	Johnson, Colo.	Pepper

Radcliffe	Thomas, Idaho	Wheeler
Revercomb	Thomas, Okla.	Wherry
Reynolds	Tunnell	White
Robertson	Tydings	Wiley
Russell	Vandenberg	Willis
Shipstead	Walsh Mass.	
Taft	Weeks	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Tennessee [Mr. STEWART] are absent because of illness in their families.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] and the Senator from Utah [Mr. MURDOCK] are detained on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Idaho [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Washington [Mr. WALLGREN] and the Senator from New Jersey [Mr. WALSH] are necessarily absent.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], the Senator from Iowa [Mr. WILSON], and the Senator from Maine [Mr. BREWSTER].

The Senator from Oregon [Mr. HOLMAN] is absent because of illness in his family.

The Senator from Connecticut [Mr. DANAHY] is absent on important public business.

Mr. WHITE. I announce the necessary absence from the city of the Senator from New Hampshire [Mr. TOBEY].

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

Mr. ELLENDER. Mr. President, last Wednesday I had occasion to discuss the so-called Bailey amendment to the pending flood-control bill. I stated then and I repeat now, that I favor the development of power by the Government because it is only by coordinated effort that our immense water resources can be adequately developed. I favor this development provided that it is under the supervision of the War Department, acting through its efficient Board of Engineers for Rivers and Harbors. Because of the close relationship that exists between the protection of our country from floods, the utilization of water for irrigation, and the development of electric power from our water resources, the Congress should insist that the War Department should be the instrumentality through which this important work is to be carried out.

During the course of my remarks I stated that the Bailey amendment was somewhat in conflict with the historical policy of Congress which had been established many years ago. I have a short synopsis of the various acts in which the Congress declared its policy in respect to the development of power. I ask unanimous consent that the synopsis be

printed at this point in the RECORD, following my remarks.

There being no objection, the synopsis was ordered to be printed in the RECORD, as follows:

The proposed amendment is in conflict with the historical policy of Congress, originally expressed in the Federal Water Power Act in 1920 and subsequently embodied in such legislation as the Boulder Dam Act, T. V. A. Act, the Bonneville Act, and the Fort Peck Act.

Thus section 7 (a) of the Federal Power Act (formerly the Federal Water Power Act) reads in part as follows:

"Section 7 (a). In issuing preliminary permits hereunder or licenses where no preliminary permit has been issued and in issuing licenses to new licensees under section 15 hereof the Commission shall give preference to applications therefor by States and municipalities provided the plans for the same are deemed by the Commission equally well adapted, or shall within a reasonable time to be fixed by the Commission be made equally well adapted to conserve and utilize in the public interest the water resources of the region; * * *"

By this legislation Congress established the policy of giving public bodies preferential access to the water power resources over which it had jurisdiction. This policy was carried into section 5 (c) of the Boulder Canyon Project Act of 1928.

The Tennessee Valley Authority Act embodies this policy in sections 10, 11, and 12, which read in part as follows:

"Sec. 10. The board is hereby empowered and authorized to sell the surplus power not used in its operations, and for operation of locks and other works * * *, to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies herein set forth; and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 20 years, and in the sale of such current by the board it shall give preference to States, counties, municipalities, and cooperative organizations of citizens or farmers, not organized or doing business for profit, but primarily for the purpose of supplying electricity to its own citizens or members. * * *

"Sec. 11. It is hereby declared to be the policy of the Government so far as practical to distribute and sell the surplus power generated at Muscle Shoals equitably among the States, counties, and municipalities within transmission distance * * *"

"Sec. 12. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sales of such power, it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, or from funds secured from the sale of bonds hereafter provided for, to construct, lease, purchase, or authorize the construction of transmission lines within transmission distance from the place where generated, and to interconnect with other systems."

The Bonneville Act embodies this policy in sections 2 (b) and 4 (a), as follows:

"Sec. 2 (b). In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor, and to prevent the monopolization thereof by limited groups, the administration is authorized and directed to provide, construct, operate, maintain, and improve such electric transmission lines and substations, and facilities and structures appurtenant thereto, as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with

other Federal projects and publicly owned power systems now or hereafter constructed."

"SEC. 4. (a) In order to insure that the facilities for the generation of electric energy at the Bonneville project shall be operated for the benefit of the general public, and particularly domestic and rural consumers, the Administrator shall at all times, in disposing of electric energy generated at said project, give preference to public bodies and cooperatives."

The Fort Peck Act contains sections 2 (b) and 4 (a) practically identical with those quoted from the Bonneville Act.

Mr. ELLENDER. Mr. President, I wish to emphasize some of the arguments made by me last Wednesday in opposition to the so-called Bailey amendment.

The proposed amendment would limit the Federal Government to a single purchaser who would be in a position practically to dictate terms. In other words, the Federal Government would be placed in the position little better than that of building power projects for private monopolies. The sections from the various acts placed in the RECORD a few moments ago by me are clearly designed to avoid such a situation and the decision of the Supreme Court in the Ashwander case, involving the T. V. A., recognized the right of the Federal Government to full opportunity to market its power in such a way as best to serve the public interest.

The experiences of the Federal Government in connection with the marketing of Muscle Shoals power, prior to the creation of the T. V. A., prove conclusively the fallacy of the proposed amendment. The private power company serving the region was paying less than 3 mills per kilowatt-hour for the power, while retailing power to residential consumers in the area for as much as 8 cents. The distinguished Senator from Alabama [Mr. HILL] called attention to the matter last Wednesday.

The proposed amendment is in conflict with the Government's general power policy as embodied in the acts heretofore referred to and in the Rural Electrification Administration Act. That policy is designed to assure the widest possible distribution of electricity at the lowest possible rates in order to build up the economic life of the regions in which power can be made available. The purpose includes the development of industry, the electrification of farms, the improvement of home life, and the general raising of living standards.

To accomplish this broad purpose, the Federal Government must retain the authority to deliver power without the "by your leave" of the local monopoly, whose high rates may be thwarting this very purpose. Thus in the Brazos River area in Texas, the decision of the Brazos River Authority to build transmission lines and sell power to rural electric cooperatives led to a reduction from 12 mills to 6 mills per kilowatt-hour in the rates which the private company insisted it must charge for wholesale power supply to such cooperatives.

The proposed amendment is basically in conflict with the fundamental legal concept of such public services as the supplying of electricity. Historically such services have been universally recognized by the law as public or gov-

ernmental functions which the Government may perform itself, through its own agency, or permit a private agency to perform. In the latter case, the private agency is performing a public function and must be subject to governmental control.

The Federal agency responsible for marketing publicly developed power from resources subject to the authority of Congress must not be hamstrung in its efforts to perform this public function in whatever way will best serve the public interest.

I understand that it is proposed to modify the Bailey amendment so as to permit the Secretary of the Interior to build lines for the use of cooperatives that sell in rural areas. Such an amendment would improve the Bailey amendment, but preference would still remain in the hands of private industry.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as modified, to section 5, on page 4 of the bill. On this question the yeas and nays have been ordered.

Mr. VANDENBERG. Mr. President, let me inquire what the modification is.

The VICE PRESIDENT. The amendment as modified will be stated.

The LEGISLATIVE CLERK. It is proposed to amend section 5 by striking out all the language after the word "cooperatives" and the period on page 4, line 25, and ending on page 5, line 7, and insert in lieu thereof the following:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

So that section 5 as modified will read as follows:

Sec. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be

passed on under Federal regulation where no State regulation exists, to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. BANKHEAD. Mr. President, to the pending amendment, I offer the amendment, which I send to the desk to be added at the end of the pending amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. It is proposed that the following proviso be added to the amendment as modified:

Provided, That nothing herein shall prohibit the building of such transmission lines by the Federal Government or the Secretary of the Interior with Federal funds to supply rural electric associations organized for the purpose of supplying electric energy to rural districts.

Mr. BAILEY. Mr. President, I have no objection to the amendment. I have assured the distinguished Senator from Alabama that I would accept his amendment, and I ask that my amendment be modified according to the amendment proposed by the Senator from Alabama.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. BANKHEAD] to the so-called Bailey amendment, being the committee amendment, as modified, on page 4, after line 13.

The amendment to the committee amendment as modified was agreed to.

Mr. BARKLEY. Mr. President, what have we voted on?

The VICE PRESIDENT. The Senate has voted on the amendment offered by the Senator from Alabama [Mr. BANKHEAD] to the committee amendment as modified, being the so-called Bailey amendment. The amendment to the amendment was agreed to.

The question now recurs on the modified committee amendment as amended, on which the yeas and nays have been ordered.

Mr. VANDENBERG. Mr. President, in the absence of the Senator from Connecticut [Mr. MALONEY] I wish to inquire what has happened to the amendment which he gave notice last Wednesday he would offer? His amendment would strike out in line 8, page 3, of the so-called Bailey amendment the words "demanded or" and the words "within 3 years after", and insert before the word "completion" the word "upon", so that the amendment of the Senator from North Carolina would at that place read as follows:

That unless 90 percent of the firm power produced at such projects shall be purchased upon completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Many of us are very much interested in the amendment. In the absence of the Senator from Connecticut I hesitate to press it. It would, however, make much difference in my attitude toward

the whole committee amendment if the amendment of the Senator from Connecticut were agreed to.

Mr. BAILEY. Mr. President, the Senator from Connecticut [Mr. MALONEY] sent word to me that he would be present in the Chamber at 1:15 o'clock this afternoon, and not before. I should very much like to have the final vote on the pending amendment deferred until the Senator from Connecticut has arrived. I am agreeable to his amendment, and I believe that I have the right to submit it myself and get it before the Senate at this time. If the Senator from Michigan wishes to have me yield to him for that purpose, I shall be glad to do so.

Mr. VANDENBERG. I should be very glad if the able Senator from North Carolina would accept the amendment.

Mr. BAILEY. I should like to submit it in order that it may be before the Senate for consideration. Mr. President, I send forward the amendment heretofore referred to by the Senator from Connecticut, known as the Maloney amendment. I strike out the name "Maloney" and substitute in its place the name "Bailey," but with the understanding that if the Senator from Connecticut comes into the Chamber and wishes the amendment to be known as his amendment, it may be so arranged. It is an amendment to the so-called Bailey amendment.

The PRESIDING OFFICER (Mr. LUCAS in the chair). The clerk will read the amendment offered by the Senator from North Carolina.

The LEGISLATIVE CLERK. On page 3, line 8, of the so-called Bailey amendment it is proposed to amend by striking out the words "demanded or" and the words "within 3 years after", and insert before the word "completion" the word "upon", so that the amendment of the Senator from North Carolina would at that place read as follows:

That unless 90 percent of the firm power produced at such projects shall be purchased upon completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. VANDENBERG. Mr. President, the amendment would strike out the 3-year twilight zone which has been, in my judgment, appropriately criticized.

Mr. PEPPER. Mr. President, I should like to say a word with reference to the proposed amendment. I should like to make it clear that I do not propose to vote for the amendment in any form unless it affects favorably the essential character of the original committee amendment. I cannot see how the amendment would overcome the objection some of us have to the committee amendment. In the first place, I believe the amendment to be impractical. It contemplates that by the time of the completion of a dam private companies shall have purchased in an effective way all or 90 percent of the firm power to be generated. That would mean that in contemplation of the completion of the dam, private companies must have constructed systems, laid them out, and actually begun the purchase of power,

if I understand the language of the amendment correctly, by the time of the completion of the dam. In the first place, I doubt very seriously whether private companies could conform to such requirements. I can conceive of an interval of time existing during which private companies might not have constructed the lines to use the power which would be furnished. The Federal Government would not be authorized to construct the lines, and the result would be that the power would be in existence and available, and yet no use could be made of it.

But, as I have said, the proposed amendment would not overcome the essential objection which some of us have raised to the committee amendment as amended, namely, that nothing in the committee amendment lays down any requirement that the rates at which private companies may distribute power shall be reasonable rates.

In the second place, there is no requirement in the so-called Bailey amendment that the private companies which would have the right to avail themselves of the power shall serve the area which ought to be served by the power, control of which the private companies would have.

Until the two essential deficiencies to which I have referred can be met, I cannot bring myself into accord with the so-called Bailey amendment, and I do not see how the deficiencies could be cured by the amendment which has just been offered by the Senator from North Carolina.

Mr. BARKLEY. Mr. President, I wish to state that the modification which would be brought about in the Bailey amendment by the acceptance of the so-called Maloney amendment would not remove my fundamental objection to the Bailey amendment. All it would do would be to require that the preferential status proposed by the Bailey amendment to be given to private corporations shall be exercised by the time the dam has been constructed. All that would be required would be for the proper authorities to make a contract in advance of the construction of the dam for 90 percent of the power to be generated by it. So long as the private corporations consumed 90 percent of the power in perpetual exercise of the right given them, no one else could purchase any power unless it be the 10 percent remaining after the 90 percent had been consumed. As I said the other day, I am not willing to give to anyone a preferential status in the consumption and use of power made possible by the expenditure of public money. If any preference is to be given it should be given to cooperatives, and, I believe, municipalities should be included with them. They are not now included in the amendment.

Mr. VANDENBERG. Yes; they are.

Mr. BARKLEY. They are not included in the Bankhead amendment. So all the amendment would do would be to remove the 3-year period and give to the preferred companies the right to move in during the construction of a dam and contract for the purchase of the power. So long as they consumed 90

percent of it, whether for 10 years or a hundred years, no one else would have any right to it. I assume that if they consumed 90 percent of the power, but little additional difficulty would be encountered in contracting for the entire amount. So even if the amendment were modified, a great many people would be excluded who should have the benefit of the power. For that reason I cannot support the amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. Does not the Senator from Kentucky understand that the Bankhead amendment would not give any preference to municipal plants, but only to rural communities?

Mr. BARKLEY. That is correct.

Mr. AIKEN. There are hundreds of small towns and small cities and some larger cities all over the United States that have municipal plants, and even with the Bankhead amendment added, they would be unable to purchase low-cost power from these Government-constructed dams.

Mr. BARKLEY. The vice of this whole amendment is that it makes it necessary to come in on short notice and upon the verge of a vote to make modifications by piecemeal to take care of somebody in whom a Senator may be interested.

I agree with the Senator from Alabama and all other Senators that rural electrification organizations and cooperatives ought to be put upon an equal basis, at least, and, in my judgment, they ought to be given some preference. We have encouraged them; we have set them up by act of Congress; we are loaning money to them on an amortization plan in order that they may function. Now certainly we ought to encourage them by giving them some degree of preference in the case of the power it is proposed to create by money from the Treasury of the United States. I sympathize with that attitude, but the necessity at the last moment to take care of that situation by an amendment illustrates the vice of now trying to deal with a permanent policy in reversal of what we have followed for nearly 40 years. I believe for that reason the whole amendment ought to be rejected.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. SHIPSTEAD. It seems to me there is an inconsistency involved. The Federal Government is going to build some power dams and, according to the language of the amendment, when it sells the power generated at the dams the rates shall be passed upon by the Federal Power Commission, unless within the State where the energy is sold there is a State regulatory body. It seems to me it is inconsistent for the Federal Government to spend Federal money to build these dams and power stations, and turn them over to a State to regulate the sale of the power which may be generated. Take, for instance, the rural electrification systems which are spreading all over the country. They are cooperatives, and are not operated for profit. Would the

State under this provision have the right to regulate rural electrification rates, and should a State in any way regulate a Federal project and the price and manner of the sale of the power?

Mr. BARKLEY. The object, apparently, of the language inserted on that subject is, if there is a State regulatory authority that it shall take over the control of the distribution and rates which are to be charged for power generated by a project that has been instituted and paid for by the Government of the United States.

The amendment provides that whatever savings there may be shall be passed on to the consumer, but I do not know how practical that moral gesture may be. The amendment does not implement any way by which it can be done. There is no way for the Congress to compel a State regulatory body to reduce rates because of any savings that may be brought about by the construction of a Federal dam. We certainly cannot compel them to do it if they are not willing to do it. So it is null and void. It does not set up any machinery by which it can be done, even if the Federal Government has control of it. I think that is a vice in it, rather than an accomplished legislative fact.

Mr. SHIPSTEAD. The State regulatory body is, of course, a State agency.

Mr. BARKLEY. It certainly seems to me, in accordance with the Senator's idea, that if the Government of the United States is to pay for these dams and power projects across navigable streams, on which it has exclusive jurisdiction, it ought not thereafter to surrender its jurisdiction to some State regulatory body over which Congress has no control and the Federal Government has no control.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HILL. In other words, the adoption of the Maloney amendment to the Bailey amendment would not in any way correct the fundamental wrong in the Bailey amendment, which is the giving of a priority to private profit-making companies over public nonprofit power organizations. Even if the Bailey amendment to the Bankhead-Maloney amendment is adopted, it means that the public bodies, towns, cities, and municipalities that operate not for profit but for the benefit of the people cannot get one kilowatt of the power generated at the dams unless some power company says, "We do not want the power." Is not that true?

Mr. BARKLEY. That is correct.

Mr. HILL. So the Maloney amendment does not correct any fundamental wrong in the Bailey amendment.

Mr. BARKLEY. The Maloney amendment simply requires a private concern to contract for the use of the power prior to the completion of the dam, and, if they want it, that is what they will do.

Mr. HILL. Instead of giving them 3 years to make up their minds, it requires them to be a little more prompt, but it does not affect their preference and their power.

Mr. BARKLEY. Or their monopoly.

Mr. HILL. The Senator is correct. It does not affect their monopoly.

Mr. BARKLEY. And so long as they exercise a monopoly, then, for a thousand years, perhaps, nobody else would be able to obtain any of the power created by the dam.

Mr. HILL. In reference to the amendment offered by my colleague [Mr. BANKHEAD] with respect to rural cooperatives, the R. E. A. advises me that some of these cooperatives get their power from public power bodies of cities, towns, and municipalities, and, of course, there could be no protection by the Bankhead amendment for such organizations. The R. E. A. cooperatives could not get the power.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. BAILEY] to the committee amendment, as amended.

Mr. BAILEY. Mr. President, I will occupy just a few moments, I hope, by way of coming to an end of the discussion. I have no intention of delaying matters, although I should like a delay until the Senator from Connecticut [Mr. MALONEY] can be in the Chamber.

What has just been said in the Senate by way of objection to the amendment which I accepted in aid of the passage of the bill and in an effort to accommodate the amendment to those who were objecting to it reminds me of the situation of a far better Man than I, or any of us, could ever hope to be, and of what He said when He found Himself which-ever way He turned misinterpreted, contradicted, and opposed. He said:

They—

The men of this generation—

are like unto children sitting in the market place, and calling to one another, and saying, We have piped unto you and ye have not danced; we have mourned to you, and ye have not wept.

I think the gentlemen who differ with me now in the matter of the so-called Maloney amendment which I offered for the Senator from Connecticut are in just that position. They have piped and then complained of me for not dancing. If I am in a sober appearing state of mind and they moan and I do not weep, they complain of me for not weeping. I understand that of course; I am not taking it personally. They are merely against this proposal anyway no matter what may be done.

Now let me illustrate. The last proviso was by way of aiding the Secretary of the Interior to build transmission lines, and it is now interpreted to aid him in building them at once when the dam is finished. It is now being interpreted as an aggrandizement of power by the power companies. When it was not here they said it was, "Take it out." The fact of the matter is that it is not even by way of aggrandizing the power of anybody. My amendment declares:

Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

That is the preference. That is my amendment. Some speak as if it were a preference to the power companies.

They speak of the monopoly of the power companies, and maintaining a monopoly, and perpetuating a monopoly. I suppose that is when they piped and I did not dance.

Now, with further reference to the amendment, gentlemen say all this power, or 90 percent of it, must be bought by the power companies. That is not in the bill at all and is not in the amendment. It could be bought by anybody who could buy it and would run the transmission lines for the purpose. What becomes of the argument about monopoly?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. Whoever purchased the power must run his transmission line to the point of production, and have it ready to take the power at the time the dam is completed, under the Senator's amendment as it is now before the Senate.

Mr. BAILEY. Yes; but anybody can do it.

Mr. BARKLEY. Theoretically anybody might.

Mr. BAILEY. No; it is not theoretically. My conception of the amendment was that it aided the Secretary of the Interior in running transmission lines, and therefore would allay some of the opposition to the amendment, though, I recognize, not all. But we are now told it makes matters worse. I do not think so at all. As originally offered the amendment provided:

Unless 90 percent of the firm power produced at such projects shall be demanded or purchased—

By "demanded" I meant called for. I used "demand" in the market sense.

"Within 3 years." That is the way it read. As now proposed to be amended it reads:

shall be purchased upon completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

It is an enabling proviso to the Secretary of the Interior, with a view to the disposition of the power produced at the dam.

Mr. VANDENBERG. Mr. President—

Mr. BAILEY. I shall yield to the Senator presently.

I think that as the amendment will read as amended by the amendment of the Senator from Connecticut it will practically guarantee the immediate sale of 90 percent of power produced at flood control dams and at river and harbor dams, and I know of nothing that would so advance the cause of flood control as such an amendment. I yield to the Senator from Michigan.

Mr. VANDENBERG. I think the last statement made by the Senator is one of the most persuasive that can be made. I cannot escape the conclusion that the amendment as now drawn virtually guarantees a solvent, paying operation in a Government project, and I know of no sanity which would assess that as a crime.

What I wanted to ask the Senator was this: In the sale of the 90 percent of the power we go back to line 20, on page 2, and in the sale of the 90 percent, "Preference shall be given to public bodies and cooperatives." Is not that true?

Mr. BAILEY. Yes.

Mr. VANDENBERG. How can anyone make monopoly out of that?

Mr. BAILEY. There is no monopoly. If there could be an economic justification beyond all question for the construction of what we call the multiple purpose dam—that is, for flood control plus electrical production, or river and harbor locks or dams plus electrical production—the policy which I have here provided, thanks to the Senator from Connecticut, would give us the perfect economic justification, and instead of arresting the process of flood control—and it may be arrested the way we are going—it would greatly aid it and promote it.

I submit that to the reasonable consideration of Senators who hear me. I think every Senator knows that in the 14 years I have been in the Senate I have never made a personal matter of anything, and I do not intend to do so. I have never tried to "get anything by," so far as I know, except upon its merits, and that is all I ask here, and that is all I shall ever ask. If any Senator decides that the merits are the other way, it is perfectly agreeable to me, and I respect his judgment, just as I hope he will respect mine in taking the opposite view.

Let us come down to the main point. It was stated here this morning that this was a reversal of the power policy of the Government. I may be very ignorant about that, but it is my judgment we have had no power policy, certainly no policy with respect to the distribution of power. This matter was provoked, not by me, but by the Secretary of the Interior coming to the Committee on Commerce and to the subcommittee with what he conceived to be a policy, but when I read it, I said, "No, this policy is destructive of the existing power companies in this country, and I do not think the Senate of the United States wishes to be destructive." Say everything you please against this one and that one, one of the cornerstones of our economic structure is the investment of money in private enterprise, and, of course, power should be available to private enterprise.

Behind us is a period now of 50 years of electrical development, and we suddenly come to a policy proposed by the Secretary of the Interior in which the Government can use the dams we are to build in the name of flood control, and later on in the name of river and harbor development, for the purpose of going into any State and any community and taking off the cream of the business, and leaving the power company, with all its investment and all its services, high and dry.

Mr. President, the companies may have been very bad, but they have not been that bad. There is no use, as we often say, of burning down the house to get rid of the rats. There may have

been rats, but are we prepared here now, in a sort of revulsion against big things, to go to this length? Of course the power business must be a big thing. If the Senate will hear me a moment about that; it is not possible to sell power cheaply except by volume. There must be large volume in order to get a low rate. I heard the Senator from Montana speaking of reductions in his State, or some other Senator making some remarks along that line. The reductions in North Carolina have come year after year, and most of them voluntarily, because the business has been growing, the output has been demanded. So we meet the recording of the fact that they are big, but after all they are not so big as Mr. Ickes would be if we turned the whole power business of this country over to him.

We must make our choice here. We can go on with a policy placed in his hands as administrator, and I have every reason to believe he will be administrator for 49 months more, probably 50, and if his name comes before us, I shall vote to confirm him. I have nothing on earth against him as administrator of the Department of the Interior, and no disposition to fight his nomination. But if we proceed with this policy, if we do not now restrain it, while we are about to build a billion dollars' worth of flood-control dams, when it is proposed that we shall spread over the country seven T. V. A.'s, unless we now put proper restraints in our policy, we simply ordain the regime of Government power, unregulated by the State, paying no taxes to the State, and in the hands of whatever administration may happen to be elected.

That, Mr. President, is what I see in this situation. I must make a choice, and I choose to see to it that those who invested their money in power companies are respected as investors. I choose to say that corporations which have gone forth and developed this market and supplied this power shall not be struck down merely because the United States as a government has the power to do it.

The PRESIDING OFFICER. The time of the Senator from North Carolina on the amendment has expired.

Mr. BAILEY. Mr. President, I had about finished, but I believe I could extend my time by speaking on the Bankhead amendment to the committee amendment.

The PRESIDING OFFICER. The Bankhead amendment has been agreed to.

Mr. BAILEY. And I have no right to speak on the bill?

The PRESIDING OFFICER. The agreement, as the Chair understands it, pertains to the pending amendment, so it will not be in order for the Senator to speak on the bill.

Mr. McCLELLAN. Mr. President—

Mr. BAILEY. I yield to the Senator from Arkansas. I can do that, can I not?

The PRESIDING OFFICER. The time of the Senator from North Carolina has expired. He cannot yield to anyone.

Mr. McCLELLAN. I ask for time in my own right, Mr. President. I wish to ask the Senator from North Carolina a question or two. I do not believe I have used any time on this amendment,

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. BAILEY. If the Senator takes the floor he may ask me a question, or if he prefers I will ask him a question. I will answer any question the Senator may wish to ask me. I think that is the better way to do it.

Mr. McCLELLAN. I should be glad to offer the Senator a further opportunity to discuss any feature of the amendment he cares to, but first I did want to ask the Senator a question.

Mr. BAILEY. Let me say, Mr. President, that I would not think of taking any advantage by way of extension of time. When it was announced that my time had expired I had said about all I wished to say, but if the Senator from Arkansas wishes to ask me a question, I shall be glad to answer. I do not think I should undertake to obtain extension of time which is limited under the order, either directly or indirectly. I have concluded my remarks. I have had my 15 minutes. I like the 15-minute rule.

Mr. McCLELLAN. Mr. President, in all seriousness I wanted to ask the Senator a question regarding the pending amendment. First, I wish to say that I think the Maloney amendment—that is, the amendment which the Senator from North Carolina has offered on behalf of the Senator from Connecticut, and which I believe has been adopted, does correct one of the evils of the original amendment. I think it improves the original amendment considerably.

Mr. BAILEY. Let me ask the Senator a question. Does he not think that the Bankhead amendment, which I accepted, very greatly improves it?

Mr. McCLELLAN. Yes; I think it does. I wanted to make reference to it also. I now wish to ask the Senator from North Carolina a question. It strikes me that with the modification of the amendment there is now possibly an ambiguity in the whole amendment. I refer to the language on line 22 of page 2 of the Senator's original amendment where it provides—

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production.

That seems to be mandatory and emphatic. The amendment originally proposed by the Senator from Connecticut [Mr. MALONEY] provides for the construction of transmission lines after a certain period of time, and I assume that it is intended that the power transmitted over those lines shall be sold not at the project but at the place where the territory is to be served.

Mr. BAILEY. Let me clear the Senator's mind. That is not an ambiguity nor is it a contradiction. A proviso always modifies the force and effect of the main statute or the main language. One proviso may modify the force and effect of another. It simply says that this shall be done provided, however, it shall not be done this way or that way or the other way. It is a limitation.

Mr. McCLELLAN. The language is probably adequate.

Mr. BAILEY. I will say, Mr. President, that I do not know whether the matter will ever go to conference. I believe I will be allowed to make a mere

personal statement. Whatever amendment I take to conference, if I am a member of the committee, I shall take in absolute good faith. I shall respect the instructions of the Senate. And I will say that any little ambiguity which may appear or any doubt which may seem to exist can be corrected in conference.

Mr. ELLENDER. Mr. President, will the Senator from Arkansas yield to me so that I may ask a question of the Senator from North Carolina?

Mr. McCLELLAN. I yield to the Senator for that purpose.

Mr. ELLENDER. Last Wednesday I brought to the attention of the Senate that some of the language in the committee amendment, which taken with the so-called Bailey amendment, is somewhat contradictory in terms.

Mr. BAILEY. Does the Senator mean the language of the original amendment compared with the language as it is now?

Mr. ELLENDER. Yes. The committee amendment that we are now considering, when taken with the Senator's proposed amendment.

Mr. BAILEY. The later amendment was not intended to go along with the original, otherwise I would not have offered it.

Mr. ELLENDER. I understood the Senator.

Mr. BAILEY. I ran along with the original amendment as far as I could. When I could not run any further along with it I wrote some language of my own.

Mr. ELLENDER. I understand that, but if the remainder of the committee amendment is read in connection with the amendment that the distinguished Senator proposes, there is a contradiction in some respects. If the Bailey amendment is adopted that part of section 5, on line 23, of page 4, reading: "Preference in the sale of such power and energy shall be given to public bodies and cooperatives" will be retained, and following that language will be—

Mr. BAILEY. That will be in my amendment, also.

Mr. ELLENDER. No.

Mr. BAILEY. Oh, yes. Here is the amendment—

Mr. ELLENDER. No. The language I have just quoted is not offered by the Bailey amendment. It remains in the bill and will be followed by this language from the Bailey amendment:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination.

The words "The sale of such electric power shall be made without special privilege or discrimination" certainly nullifies the language "preference in the sale of such power and energy shall be given to public bodies and cooperatives."

Mr. BAILEY. The Senator is reading something else. Read the language just read by the Senator and it will be seen that it appears in my amendment. The Senator said it was not in my amendment. The language in my amendment is:

Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

That is in the Bailey amendment.

Mr. ELLENDER. I beg the Senator's pardon, but that language remains in the section and is not affected by the Bailey amendment.

Mr. BAILEY. The Senator said it was not.

Mr. ELLENDER. That is my contention. The language appearing on page 2, line 24, of the Bailey amendment nullifies that, in my opinion, because that language reads that it shall be sold "without special privilege or discrimination." That means, as I understand that language, that it is to be sold to private concerns without first offering it to cooperatives and public bodies. The language has the effect of nullifying the provision in the committee amendment reading:

Preference in the sale of such power and energy shall be given to public bodies and cooperatives.

Mr. BAILEY. No. One is a preference which must be given according to the law as written. When it comes to the sale, the sale must be made without special privilege or discrimination between those who come to buy. There will be no difficulty on earth, even in a magistrate's court, in reconciling that language.

Mr. ELLENDER. I will not argue the point further, but it is my contention that a conflict exists. Let me ask the Senator another question: The Bankhead amendment, as I understand it, provides that the Secretary of the Interior shall have the right to build power lines so as to supply rural electric associations.

Mr. BAILEY. That is correct.

Mr. ELLENDER. I notice that the same privilege is not accorded to public bodies. Was that phase of the matter discussed with the Senator?

Mr. BAILEY. It was not discussed.

Mr. ELLENDER. I wonder if the Senator from North Carolina would object—

Mr. BAILEY. Yes. I think that I have gone far enough, and I do not think the Senator would vote for it even then. The whole idea is as contained in the quotation I previously gave:

We have piped unto you, and ye have not danced; we have mourned to you, and ye have not wept.

I am not disposed to undertake to pipe or to dance or to mourn or to weep. I am going all the way down the road.

Mr. ELLENDER. The Senator may be in error as to what my position would be if public bodies were included. As I understand, the Senator would object to adding to the Bankhead amendment "public bodies" so that the amendment would then read:

Provided further, That nothing herein shall prohibit the building of such transmission lines by the Federal Government or the Secretary of the Interior with Federal funds to supply public bodies and also rural electric associations organized for the purpose of supplying electric energy to rural districts.

Mr. BAILEY. The Senator is correct in his understanding.

Mr. ELLENDER. I thank the Senator.

Mr. HILL. Mr. President—

The PRESIDING OFFICER (Mr. DOWNEY in the chair). Does the Senator from Arkansas yield to the Senator from Alabama?

Mr. McCLELLAN. I yield to the Senator from Alabama.

Mr. HILL. The Senator from Arkansas agrees, does he not, that under the Bailey amendment, modified by the Maloney amendment, if any private power company wishes to buy 90 percent or more of the firm power that the Secretary of the Interior could not build a transmission line?

Mr. McCLELLAN. I think that is correct, unless the Bankhead amendment would take care of that situation.

Mr. HILL. Even if we admit for the sake of discussion that the Bankhead amendment would take care of it, the Bankhead amendment would take care of it only so far as rural cooperatives are concerned. It would not take care of the situation so far as a town, city, or municipality was concerned, which might also be supplying a rural cooperative.

Mr. McCLELLAN. Let me say to the Senator from Alabama that I think the Bankhead amendment and the Maloney amendment greatly improve the pending amendment, and eliminate some of the objectionable provisions in it. I believe that public bodies ought to be added. If that is done, I shall support the Bailey amendment.

Mr. HILL. If we add public bodies, of course, there is no Bailey amendment.

Mr. McCLELLAN. I do not know that that is quite a correct statement.

Mr. HILL. Is not that true? Is not that what the Bailey amendment is all about? If we add public bodies, so as to take in everything, then there is no Bailey amendment.

Mr. McCLELLAN. I do not understand that the Bailey amendment precludes cooperatives or public bodies from participating in the purchase of 90 percent of the power. They have an equal right to purchase it. In fact, they are given preference.

Mr. HILL. The Secretary of the Interior would be prevented from building a transmission line if some private power company should purchase 90 percent or more of the power.

Mr. McCLELLAN. If the private power company should purchase 90 percent of the power, I believe that under the Bankhead amendment a line could still be built to a rural cooperative. I do not believe that would be precluded.

Mr. HILL. The Senator realizes, as a practical matter, when he speaks about building a line out to a rural cooperative, that when it is undertaken to build transmission lines, costly as they are, there must be more than one little rural cooperative to serve. Very likely the line would have to be tied in to cities, towns, and rural cooperatives which may be getting power from some town or municipality.

Mr. McCLELLAN. I think that is true.

Mr. HILL. I agree with the Senator that perhaps a line should be built to a rural cooperative. As a practical mat-

ter, I believe that the amendment, as now submitted, does pretty much what the Senator from North Carolina, who is always frank and honest with the Senate, stated in the beginning that it would do. It would mean that private power companies would get all the power.

Mr. McCLELLAN. I am of the opinion at the moment that if public bodies were added to the Bankhead amendment the Bailey amendment would then provide a safe and sound policy. I stated last Wednesday that I would not support the Bailey amendment in its present form. But if public bodies were added, then I can see no objection to the Bailey amendment.

Mr. BURTON. Mr. President, may I direct a question to the Senator from Alabama?

Mr. HILL. The Senator from Arkansas has the floor.

The PRESIDING OFFICER (Mr. DOWNEY in the chair). The time of the Senator from Arkansas has almost expired. He still has about 2 minutes.

Mr. McCLELLAN. I yield the floor.

Mr. BURTON. Mr. President, the Senator from Alabama referred to a situation in which private interests or others were taking 90 percent of the power, and was wondering whether or not rural agencies would be able to get power. Does the Senator suppose for a moment that a private agency would not be glad to sell power to all customers, including rural agencies? Under the terms of the bill, would it not get the power at a reduced rate, and is there not an express provision that all savings which arise out of the operation must be passed on?

Mr. HILL. The Senator's question goes to the very fundamentals of public power. To answer the Senator's question logically, we would abolish all public power projects and go back to the old days before we had public power projects. The main reason why public power projects came into being was that regulation had failed in large measure. That is why the people demanded public power projects, in order that there might be provided yardsticks as a means of controlling the rates of private power companies, as well as to provide cheap power for the power consumers of the country.

Mr. BURTON. It seems to me that the Senator from Alabama has missed the reason why we had public power. It was not because private regulation had fallen down. It was because private power was not supplied at all in certain places. Under the Bailey amendment power would be made available to private agencies, and therefore the situation feared by the Senator from Alabama would not be brought about. The Senator fears that there would be a lack of power, and that public agencies would have to buy their power from private power companies. If private industries, including power industries, are in a position to supply power, they should be given an opportunity to do so, particularly if they are already in that line of business.

Mr. MALONEY. Mr. President, I should like to discuss the amendment briefly. I regret that my train was late, and that it was necessary for the Sena-

tor from North Carolina [Mr. BAILEY] to offer the amendment.

Mr. BAILEY. Mr. President, I ask that the name of the Senator from Connecticut be substituted for mine as the author of the amendment.

Mr. MALONEY. I thank the Senator; but I have no pride of authorship. I was trying to improve and perfect the Senator's amendment.

Mr. President, I shall be very brief. First, I should like to point out, in connection with the statement made once or twice by the able Senator from Alabama [Mr. HILL], that it is provided in the so-called Bailey amendment that whatever savings are made as a result of the production and sale of power under Government auspices must of necessity be passed on to consumers. So I do not give great weight to that particular argument. The amendment now under consideration makes provision, as the Senate knows, that unless the private power companies or others purchase 90 percent of the so-called firm power made available, and purchase it immediately, the Federal Government is authorized to go ahead with the construction of transmission lines. It is a very simple amendment. I do not believe that any Senator will object to the amendment. For that reason I shall not consume any more time of the Senate.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. PEPPER. Does the able Senator believe that the adoption of his amendment would make possible the building of lines to reach public bodies and cooperatives by any other than private companies?

Mr. MALONEY. I am inclined toward the view of the Senator from North Carolina [Mr. BAILEY] that that would be permissible under his amendment, with or without my amendment. As I understand, my amendment would not change the situation in that respect.

Mr. PEPPER. Then the amendment of the Senator from Connecticut would not confer any power which the Bailey amendment does not now contain to build transmission lines to carry power to public bodies and cooperatives?

Mr. MALONEY. I do not think it would make any difference. If it would have any effect, it would very likely be a favorable effect from the standpoint of the view of the Senator from Florida.

Mr. PEPPER. I think it is pertinent to observe that power from a dam cannot be delivered to a public body or cooperative unless a transmission line is built.

Mr. MALONEY. That is true.

Mr. PEPPER. Either the cooperatives or public bodies must get together and form an organization to build a transmission line or they must rely on the power companies.

Mr. MALONEY. What does the Senator mean by relying on the power companies?

Mr. PEPPER. To build the extension.

Mr. MALONEY. Is it a sin to buy or to refuse to buy power from private companies?

Mr. PEPPER. I did not say it was. I am simply saying that unless provision is made in some way or other for the power to be transmitted to public bodies and cooperatives it will not get there, except through the instrumentality of the private company. That is the reason why it is necessary to give the Secretary of the Interior authority to build transmission lines, unless we prefer, as the able Senator from North Carolina distinctly and fairly says he does, that distribution be by private companies.

Mr. MALONEY. I certainly favor that procedure. I favor distribution by private companies. I am among those who believe that private companies can produce power as cheaply as can the Federal Government. I cannot think of any reason under the sun which would permit the Federal Government to produce power more reasonably than can private industry. I favor the production of power by private companies, under rigid regulation and under the provisions of the Bailey amendment, which insists that any savings be passed on to the consumers.

As a matter of fact, in the committee I offered the language which provided that they "shall" pass them on. I think the original words were "may pass them on."

Mr. PEPPER. But, Mr. President, the Senator will admit, will he not, that watered stock, the birth of unnecessary holding companies, and excessive profits would prevent a power company from getting the power to the consumers at as cheap a rate as the rate at which the Government could get it there; would it not?

Mr. MALONEY. As I said before, in the bill provision is made for regulation.

Mr. BAILEY. Mr. President, let me inquire whether the Senator will permit an interruption.

Mr. MALONEY. Certainly.

Mr. BAILEY. In existing law we have abundant provision not only to prevent the issuance of watered stock but also to get it out of companies which have it. I understood that was a matter which had already been accomplished. I see no trouble about that. We have already passed a law on that subject, and the law is in operation.

Mr. MALONEY. When I said a moment ago that I would not speak at greater length because I doubted that any Senator was opposed to my amendment, I had in mind that even those who favor nationalization of power in this country would find my amendment to their liking. I would expect that Senators opposed to the Bailey amendment would accept this amendment, because it seems to me to go somewhat in the direction toward which they point.

Mr. MURRAY rose.

Mr. MALONEY. I yield.

Mr. MURRAY. I should like to inquire of the Senator if he does not appreciate the fact that a great many of the corporations which have a monopoly on power in various sections of the country are not going to be deprived of their

control as a result of the public-utility holding-company law. For instance, in the State of Montana we have the Montana Power Co., which was established there some years ago, and which as a result of the heavy watering of its stock is compelled to maintain high rates to earn and pay dividends on its capital structure. The holding company law does not affect that situation at all. That corporation can only be compelled to lower its rates by having the water drained out of its capital stock. An effort along that line is now being made, but it is a most difficult thing to accomplish.

So it seems to me that the only way to handle this situation is by the power developments, under the legislation we are proposing to enact, to set up yardsticks throughout the country, and in that way such companies will be compelled to have the water removed from their stocks.

Mr. BAILEY. Certainly the Senator will not say that what we have or what we propose is a yardstick, when the Federal power set-ups get their money free and pay no taxes. Of course they have lower rates.

Mr. MURRAY. Oh, no, Mr. President. The Tennessee Valley Authority is going to pay pretty well.

Mr. BAILEY. The Senator says it is going to. But is it doing it? It gets its money from the Government. It pays the Government back. That is called a yardstick.

I was merely pointing out what I think everyone knows with reference to whether such operations can be regarded as a yardstick. That operation may have been well meant at the time, but now it is a matter of laughter.

Mr. MALONEY. Mr. President, I should like to ask the Senator from Montana whether there is a regulatory body in his State.

Mr. MURRAY. Yes; there is. But it seems powerless to control the power interests.

Mr. MALONEY. Does the Senator say it is under the control of the power interests in his State?

Mr. MURRAY. Well, the power interests dominate the situation and seem to prevent any relief to the public.

Mr. MALONEY. I find that very difficult to believe.

Mr. MURRAY. The situation is a very peculiar one, but I will explain it.

Mr. BAILEY. Let me ask the Senator whether the members of the power commission in his State are elected by the people?

Mr. MURRAY. Yes; they are.

Mr. BAILEY. Did not the people of Montana elect the Senator?

Mr. MURRAY. Yes.

Mr. BAILEY. By the same power they might elect a good power commission.

Mr. MURRAY. It sometimes happens that persons they do not want are elected.

Mr. BAILEY. I am sure that was not so in the case of the Senator.

Mr. MURRAY. Of course, I was elected in spite of the opposition of the power interests.

But let me say that virtually every newspaper in the State is owned by the Montana Power Co. and the Anaconda Copper Co., and in that way they are able to deceive the public. We have very few independent papers to make the fight in the public interest.

Mr. MALONEY. Mr. President, I would not trade the two liberal Senators from Montana for all the reactionary press men that may operate in his State.

The PRESIDING OFFICER. The Senator from Connecticut has the floor. Does he desire to continue to yield?

Mr. MALONEY. Yes, Mr. President; I yield.

Mr. MURRAY. Mr. President, the point I was endeavoring to make was that the corporations have their stock watered. In the State of Montana the corporations I was describing are compelled, because of their capital structure, to maintain high rates. In that way they prevent industrial development in the section of the country in which they operate. For instance, in the State of Montana the population has for a long period been declining. The censuses taken every 10 years for the past 40 years show a decline in population. The reason for the decline is that we have no opportunity to develop natural resources and to bring industry into the State. The State is conducted solely on the basis of a raw-material economy, and we find the population constantly dwindling, as shown by the census taken every 10 years. Unless there can be some development of cheap power, there will be no improvement in the situation. That fact is generally recognized, and it is well known that the idea of improving the situation is not a socialistic one. Some of the businessmen of the State are recognizing it. The president of the Great Northern Railroad, in discussing it in a public interview in the State of Montana, pointed out that we need cheap power in our State in order to develop industry there, and that that was the way to do it.

Mr. MALONEY. Mr. President, I am an advocate of cheap power. I want cheap power; but I do not want to rob and destroy private companies in order to get it.

If the Congress is willing to arrange for proper, fair, and reasonable prices to the private companies for their properties, I should be willing to join in such a proposal. But if the Senator from Montana means that he would have so-called cheap power at the expense of those who are carrying the watered stock in his State, I cannot go along with him.

Unless the Senator has a further question, I yield the floor.

Mr. MURRAY. Mr. President, I am sure the Senator from Connecticut does not approve of the policy of watering stock up to double the amount of the capital invested, and then claiming the right to earn returns on that basis.

Mr. MALONEY. Of course, I do not. The Senator understands that, I am sure. I helped to write the Truth in Securities Act, back in 1933, and supported it vigorously.

Mr. MURRAY. Mr. President, that is all I wish to see done. I do not wish to prevent any corporation from receiving proper returns on its investment; but I do not believe such corporations have a right to water their stock, as in the case of the Montana power interests, which are the subject of an article which appeared in Harper's Magazine a short time ago. The article was written by Joseph Kinsey Howard. In the article he discusses the whole problem.

Mr. MALONEY. Mr. President, I condemn the abuse of watering stock by private companies. I think the means of correction in the situation which he describes are reposed in the Senator's State. But it seems to me that he is willing to have the Federal Government operate under a watered stock plan in competition with the private companies.

Mr. MURRAY. Mr. President, in order to remedy the situation in the State of Montana we would have, first, to remedy the situation now existing among the newspapers in the State. We would have to get rid of 90 percent of the newspapers, which are owned, operated, and conducted entirely for the purpose of maintaining the situation about which I have spoken. Of course, frequently persons are elected as members of the State power commission who are backed up and supported by those newspapers, and we find that very little is done to remedy the situation. In order to remedy the situation it is necessary to go away back.

Mr. MALONEY. I should like to say that the Senator from Montana seems to have quite a problem on his hands.

Mr. MURRAY. Yes; it is a big problem.

Mr. MALONEY. It may be necessary for him to get at it in this roundabout way, but I must part company with him on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut to the committee amendment as amended, the so-called Bailey amendment.

Mr. BAILEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Mahoney
Austin	Green	Overton
Bailey	Guffey	Pepper
Ball	Gurney	Radcliffe
Bankhead	Hatch	Revercomb
Barkley	Hayden	Reynolds
Bilbo	Hill	Robertson
Brooks	Jenner	Russell
Burton	Johnson, Calif.	Shipstead
Bushfield	Johnson, Colo.	Taft
Butler	Kilgore	Thomas, Idaho
Byrd	La Follette	Thomas, Okla.
Capper	Langer	Tunnell
Caraway	Lucas	Tydings
Chandler	McClellan	Vandenberg
Clark, Mo.	McFarland	Walsh, Mass.
Connally	McKellar	Weeks
Cordon	Maloney	Wheeler
Davis	Maybank	Wherry
Downey	Mead	White
Ellender	Millikin	Wiley
Ferguson	Murray	Willis
George	Nye	
Gerry	O'Daniel	

The PRESIDING OFFICER. Seventy Senators having answered to their names, a quorum is present.

The question is on the so-called Maloney amendment to the committee amendment as amended. The clerk will call the roll.

Mr. OVERTON. Mr. President, a parliamentary inquiry. Have the yeas and nays been ordered?

The PRESIDING OFFICER. Apparently the Chair is in error. The yeas and nays have not been ordered. The question is on the so-called Maloney amendment to the committee amendment as amended.

Mr. LANGER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays seconded?

Mr. AIKEN. Mr. President, is the vote about to be taken on the Maloney amendment to the committee amendment?

The PRESIDING OFFICER. On the Maloney amendment to the committee amendment as amended. On that question the Senator from North Dakota has demanded the yeas and nays. Is the demand seconded?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the so-called Maloney amendment to the committee amendment as amended.

Mr. SHIPSTEAD. Mr. President, a parliamentary inquiry. It still is not clear whether we are voting on the Maloney amendment or the Maloney amendment and the Bailey amendment.

The PRESIDING OFFICER. The question is on the so-called Maloney amendment to the committee amendment as amended.

Mr. SHIPSTEAD. The vote is on that question only?

The PRESIDING OFFICER. The Senator is correct.

Mr. SHIPSTEAD. That is to add the Maloney amendment to the Bailey amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. AIKEN. Will the Chair have stated the Maloney amendment so that the question may be clearly understood?

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Connecticut to the amendment of the committee as amended.

The CHIEF CLERK. On page 3, line 8, of the printed committee amendment as modified inserting section 5, it is proposed to strike out the words "demanded or purchased within 3 years after", so that as amended the proviso would read:

Provided, That unless 90 percent of the firm power produced at such projects shall be purchased upon completion of the construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

The PRESIDING OFFICER. The question is on agreeing to the so-called Maloney amendment to the amendment of the committee as amended.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the committee amendment as amended. Upon that question the yeas and nays have been ordered.

Mr. LA FOLLETTE. Mr. President, I should like to state briefly the reasons which compel me to vote against the so-called Bailey amendment as modified. It seems to me that the inevitable effect of the amendment would be to give tremendous advantage to the private power companies in bidding for the power to be generated as a result of the expenditure of public money for flood-control dams. Those who were in the Senate during the time the Muscle Shoals project was in operation, before the establishment of the T. V. A., will remember the exceedingly great advantage which the private power companies enjoyed. Because they had their transmission lines at the dam site, they were enabled to purchase great quantities of power at ridiculously low rates because they were the sole bidders for the power.

It seems to me fallacious to contend that the effect of this amendment would be to enhance the economic feasibility and soundness of these flood-control dams, because, if the Secretary of the Interior is denied the power, which he now has the right to exercise, to build transmission lines, in many instances, if not in nearly all instances, the private power company will either have built transmission lines to the site of the dams during the course of construction or they will have built them when construction has been completed and they will thus be in a position to bargain for the power generated at the dams at a tremendous advantage to themselves.

The provision in the amendment to the effect that the sales shall provide that all savings realized by the purchaser shall be passed on under Federal regulation applies only in States where there is no State regulation, and, therefore, in nearly every State with which I am at all familiar the stipulation that the savings in power costs shall be passed on to the ultimate consumer will be ineffective.

Therefore it comes down to a naked proposition as to whether we want to repeat the mistakes which we have made in the past and to permit private power companies in most instances to buy the power at their own price. I do not believe, Mr. President, that it is sound public policy, when we are spending public money for the purpose of flood control and incidentally for the development of power, to permit private interests to have an undue advantage over public bodies in the purchase of the power. That, as I see it, is the naked proposition that is before the Senate in this amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended. On that question the yeas and nays have been ordered, and the clerk will call the roll.

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. THOMAS of Oklahoma. Is the vote about to occur on the so-called Bailey amendment as amended?

The PRESIDING OFFICER. The Senator is correct. It was amended by the adoption of the so-called Maloney amendment and the Bankhead amendment.

Mr. THOMAS of Oklahoma. Mr. President, before the vote is had I desire to submit the reasons why I am supporting the amendment.

The amendment attempts to set forth, in outline at least, a broad policy for the disposition of electrical energy developed by Government-constructed and Government-managed and operated hydroelectric plants. The bill itself proposes to approve and extend the heretofore adopted policy and program for the construction of multiple purpose dams and reservoirs. As I understand them, the purposes of such dams and reservoirs are as follows:

First, for flood control; second, for power development; third, for irrigation; fourth, for navigation; and, fifth, for recreation.

Under the present organization of the Senate I am a member of the Committee on Appropriations and as a member of such committee I have been assigned as chairman of the Subcommittee on War Department Appropriations. This subcommittee handles two bills annually, one the bill making appropriations for the Regular Military Establishment and the other the bill providing for funds for the nonmilitary activities of the War Department, which bill is known as the civil-functions bill.

The civil-functions bill carries money for the nonmilitary activities of the War Department, such as the construction of flood-control dams, flood-control levees, ditches, the Panama Canal, and things of that character. It is this bill which provides funds for the construction of many if not most of our hydroelectric developments. It is my position on this committee that causes me to have an unusual interest in the pending amendment.

Mr. President, I favor the construction of flood-control dams, and where power may be developed as an incident to flood control, then I favor the development of such power. The pending amendment brings out into the open a fight which has been going on for years, a fight for the development of public power as against the development of power by private companies. It has been my experience that many projects for the development of public power have been opposed by private power interests. The public power project at Muscle Shoals was started during World War No. 1, I am advised, and was abandoned with the end of that war. It took a great depression to bring about conditions under which it could be completed and made available and ready for the manufacture of power.

Every proposed dam having power possibilities is objected to by private power interests, and from their stand-

point and their interest I can understand why they have their objections. If the Federal Government adopts a policy of constructing public power projects, and then goes further and adopts a second policy of distributing the power so developed to consumers at rates having no relation either to the cost of the development of such power or the cost of distribution, then many private power concerns will be forced out of business. If this should happen, then two definite results would follow, in my opinion. First, the local government, the State government, and the Federal Government would lose taxes now being collected. It is my opinion that at this time we cannot afford to lose any of our sources of taxation for the support of our several State and local governments, and the National Government itself. A second possible effect would be to destroy the value of a vast amount of securities now held by the people of our country.

I am interested in having developed a plan or program under which we may increase the development of hydroelectric power.

If the Government may develop the power and then let private companies distribute such power, then no taxes will be lost and outstanding securities will not be injured or destroyed.

The pending amendment proposes a plan for such an arrangement.

In brief, this states my reason for my support of the amendment. I find myself already committed to the amendment in advance. On the first day of last July I participated in the dedication of the Denison Dam. At that time I made a speech in connection with the exercises, and I committed myself to the principles set forth in the Bailey amendment. In order that my views may be set forth more clearly, I ask permission to make the speech I delivered at the dedication of the Denison Dam a part of my present remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

We are assembled here in the Red River Valley, between Denison, Tex., and Durant, Okla., on one of the great engineering works of America, to dedicate this dam and this vast inland sea to the public use and service of the present and future generations of our great country.

I doubt if any of us here today can foresee fully and clearly the value of this great engineering achievement.

To look at this work it appears to be a gigantic earthen dam, embracing a powerhouse filled with complicated machinery.

In front of this mountainous dam we see a vast expanse of water so long that we cannot see the other end and so wide that the hills on the other side fade away in the distance.

This project is so large that it could not have been undertaken by an individual, or a corporation, or a county, or a group of counties, or by even a State or, for obvious reasons, our two States acting together,

It has required the cooperation of our people, our cities, our counties, and our two States, all working through our Federal Government, to transform a dream into a reality

and to bring forth this development for dedication here today.

Years ago, and on more than one occasion, I joined the present Speaker of the House of Representatives, then Congressman RAYBURN of Texas, in an effort to interest the agents of the Government in the possibilities of this project.

It certainly did not occur to me then that many years later I should be privileged to assist a Speaker of the House of Representatives in dedicating this structure to the use and service of the people.

I do not know who first suggested this project; however, I am in a position to know and I am glad to testify that this great flood-control work, this important power development, and this great recreational area, is due to the foresight, the persistent and well-directed energy and the ability and power of the Speaker of the House of Representatives, the gentleman from Texas, SAM RAYBURN.

The Congress and the Administration, making up the Government, are responsible for this project.

After the brain child was born the Congress authorized the United States Engineers to make a survey of this site and its possibilities for flood control, power development, and recreation.

The survey was made and the project was recommended for construction.

The Congress approved the report and authorized the construction of this dam, reservoir, and power equipment.

The Chief of Engineers, General Reybold, and his corps of able assistants stand at the top of all our agencies and departments of the Government.

When the Chief of Engineers makes a recommendation it is accepted by the Congress as the last word in engineering ability and skill.

With a favorable report the Congress proceeded to act.

Money was appropriated to build this work—and now in record time—here it is ready to begin to work for the people of this section of Oklahoma and Texas.

Why was this dam and reservoir proposed, approved, and constructed?

The answer—to assist in controlling the damaging and disastrous floods in the Mississippi Valley.

The Government has spent and is spending multiplied millions in an effort to control the floods on the Mississippi.

Until recently the approved plan of flood control was through the construction of levees and dikes to confine the water in its channel.

The record shows that something more than levees is necessary to protect the rich bottom land on the tributaries of the Mississippi.

Today the levee plan is being supplemented by great dams and reservoirs constructed to catch the water and hold it back for beneficial uses—in some cases for irrigation, in others for the creation of power and still others for aid in navigation.

Always a byproduct of such reservoirs is recreation.

Already this dam has prevented flood damage down the Red River.

Already this flood control works has paid dividends to a vast number of people residing between here and the Gulf of Mexico.

Today the gates will be opened, the turbines will begin to turn and the generators will begin to convert water power into electrical energy to serve the war effort now and later when the war is won to transform this section of Oklahoma and Texas into an industrial area.

Why do I make this prophecy?

The answer—cheap power attracts factories and industry.

Let me call your attention to the following facts:

The development of water power in the Tennessee Valley has converted that section into a beehive of industry.

The construction of the Bonneville and Grand Coulee Dams on the Columbia River in Oregon has induced capital to flow to that area until now the Columbia River is dotted with factories and the available power is insufficient to supply the demand.

I have another reason for my prophecy.

Here in Oklahoma we already have the Grand River Dam flood-control and power project.

At this time the power created by this plant is serving the war effort.

Oklahoma electrical energy is creating aluminum to make planes which have already defeated Mussolini and planes which now are playing an important part in crushing what is left of the empires of Hitler and Tojo.

Even the prospect of cheap power is attracting industry to Oklahoma.

At Miami, in northeastern Oklahoma, we have a large Goodrich rubber plant almost completed.

In a few months the war effort will be moving forward on tires "made in Oklahoma."

When the war is over Americans will ride in cars propelled by Oklahoma gas and on rubber tires made from Oklahoma oil and branded, "Made in Oklahoma."

This development is made possible by the cheap power produced by the Grand River hydroelectric plant.

I made this statement once before and was challenged for its accuracy.

I now give my authority.

On May 18 Mr. T. G. Graham, vice president of the B. F. Goodrich Co., of Akron, Ohio, made a speech, in which he said:

"Water and power are two of the fundamental requirements for rubber manufacturing. When these factors were weighed, the lack of adequate water supply eliminated all but 26 locations, and power checked off all but 3 of these remaining, 1 of which was Miami."

Here in southern Oklahoma and northern Texas we have the water and the power, and nothing now can keep this section from industrial development save the limits on the amount of power that can be produced.

This statement leads up to another question, How will this power be distributed?

Public power, as a rule, is produced as a byproduct of flood-control developments.

The Government should not, in my judgment, enter the field of power development in such a manner as to destroy the value of existing power facilities which have served and are serving the wants and needs of the people.

It seems to me that a cooperative plan of power development and distribution may be worked out whereby the people in the cities and on the farms may receive the benefits of power at reasonable rates.

Such a plan should embrace a program wherein the Government may create the electrical energy and the existing distributing systems may take the current at the point of manufacture, and thereby both the Government and the existing systems may profit by such cooperative plan of operation.

Former Senator James P. Pope, now a director of the Tennessee Valley Authority, has just made the following statement:

"There is no doubt but that this cooperative effort, which makes for efficiency, economy, and better service, is here to stay and will play an increasingly important part in the future development of the public and private power industry."

Unless this policy is adopted, the Government will be forced to build stand-by steam plants and, in addition, will have to build transmission and distributing lines in order to deliver the electricity to the consumers.

The Government is interested in making a success of its flood-control and power developments.

The public is interested in securing electricity at a reasonable price.

These two interests can be harmonized and adjusted to the benefit of both the Government and the consumers.

This is one of the problems that must be solved, and when it is solved it must take into consideration the injury done by removing property from taxation, and then it must give credit to the values which may be created as the direct result of the making available of an abundance of cheap power.

In conclusion, we now see this great dam and reservoir in the rough. Very soon we shall see it in action.

Later we shall see the results of this development.

This great reservoir will be landscaped and parked for the benefit of the public. Recreational areas will dot the lakesides.

Industries will locate in the adjacent towns and cities.

This section will be a mecca for the millions of vacationists residing within easy driving distance.

The Government should locate and maintain here a major naval training station.

Should the people want and demand it, the Red River may be made navigable from this dam to the Mississippi, thence on to the Gulf and to the sea.

This would give us cheaper freight rates and would insure industries to the limit of available power.

If the public and private power could be fully integrated, then there need be no limit to the power available.

With navigation provided to the dam, it would be comparatively inexpensive to create a system of locks whereby ships and barges might sail from cities and towns adjacent to the lake carrying out in commerce the raw products of Oklahoma and Texas and bringing back the finished products which Oklahoma and Texas need.

My friends, this vision is not as wild today as was the proposal years ago to build this work at a cost of over \$50,000,000.

Oklahoma and Texas form an economic empire.

Our Governors and our representatives in Congress are working together.

Through this cooperation, there is no limit to the development of our great States of Oklahoma and Texas.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended, which will be stated.

The CHIEF CLERK. On page 4, after line 13, it is proposed to insert the following:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any

and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be purchased upon completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale: *Provided further*, That nothing herein shall prohibit the building of such transmission lines by the Federal Government or the Secretary of the Interior with Federal funds to supply rural electric associations organized for the purpose of supplying electric energy to rural districts.

The PRESIDING OFFICER. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. WHITE (when Mr. HAWKES' name was called). I announce the unavoidable absence of the Senator from New Jersey [Mr. HAWKES]. I may add that if he were present he would vote "yea."

Mr. WHITE (when Mr. MOORE's name was called). I announce the unavoidable absence of the Senator from Oklahoma [Mr. MOORE], and will state that if he were present he would vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Tennessee [Mr. STEWART] are absent because of illness in their families.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] and the Senator from Utah [Mr. MURDOCK] are detained on official business for the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Idaho [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. OVERTON], the Senator from Utah [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. WAGNER], the Senator from Washington [Mr. WALLGREN] and the Senator from New Jersey [Mr. WALSH] are necessarily absent.

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that if present and voting, the Senator from Utah would vote "nay," and the Senator from New Hampshire would vote "yea."

The Senator from Tennessee [Mr. STEWART] is paired with the Senator from Oregon [Mr. HOLMAN]; the Senator from New York [Mr. WAGNER] is paired with the Senator from Kansas [Mr. REED]; and the Senator from Mississippi [Mr. EASTLAND] is paired with the Senator from Oklahoma [Mr. MOORE]. I am advised that if present and voting, the Senator from Mississippi [Mr. EASTLAND] would vote "nay," and the Senator from Oklahoma [Mr. MOORE] would vote "yea."

Mr. WHERRY. I announce that the Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS]. I am advised that if present and voting, the Senator from New Hampshire would vote "yea."

The Senator from Connecticut [Mr. DANAHER] is absent because of important public business. I am advised that if present, he would vote "yea."

The Senator from Oregon [Mr. HOLMAN], who is absent because of illness in his family, has a general pair with the Senator from Tennessee [Mr. STEWART].

The Senator from Oklahoma [Mr. MOORE], who is necessarily absent, has a pair on this question with the Senator from Mississippi [Mr. EASTLAND]. If the Senator from Oklahoma were present, he would vote "yea." I am advised that if present and voting, the Senator from Mississippi would vote "nay."

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY], the Senator from Delaware [Mr. BUCK], the Senator from Maine [Mr. Brewster] and the Senator from Iowa [Mr. WILSON] are necessarily absent.

The result was announced—yeas 27, nays 42, as follows:

YEAS—27

Austin	Gerry	Taft
Bailey	Gurney	Thomas, Idaho
Bankhead	Jenner	Thomas, Okla.
Brooks	Maloney	Tydings
Burton	Millikin	Vandenberg
Bushfield	O'Daniel	Weeks
Byrd	Radcliffe	White
Clark, Mo.	Revercomb	Wiley
George	Reynolds	Willis

NAYS—42

Aiken	Gillette	McKellar
Ball	Green	Maybank
Barkley	Guffey	Mead
Bilbo	Hatch	Murray
Butler	Hayden	Nye
Capper	Hill	O'Mahoney
Caraway	Johnson, Calif.	Pepper
Chandler	Johnson, Colo.	Robertson
Connally	Kilgore	Russell
Cordon	La Follette	Shipstead
Davis	Langer	Tunnell
Downey	Lucas	Walsh, Mass.
Ellender	McClellan	Wheeler
Ferguson	McFarland	Wherry

NOT VOTING—25

Andrews	Hawkes	Thomas, Utah
Brewster	Holman	Tobey
Bridges	McCarran	Truman
Buck	Moore	Wagner
Chavez	Murdock	Wallgren
Clark, Idaho	Overtton	Walsh, N. J.
Danaher	Reed	Wilson
Eastland	Scrugham	
Glass	Stewart	

So the committee amendment, as amended, was rejected.

Mr. OVERTON. Mr. President, I desire now to offer the amendment as it was originally proposed by the Committee on Commerce. This amendment, I understand, meets with the approval of the Secretary of the Interior. I send the amendment to the desk and ask that it be read. I do not think it needs any discussion so far as I am concerned. It has been thoroughly explained over and over again.

The VICE PRESIDENT. The amendment will be read.

The CHIEF CLERK. On page 4, beginning with line 14, it is proposed to insert the following:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and, in the opinion of the Secretary of War, not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the

most widespread use thereof at the lowest possible rates to consumer consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

The PRESIDING OFFICER (Mr. Lucas in the chair). The question is on agreeing to the amendment to the committee amendment offered by the Senator from Louisiana.

Mr. McCLELLAN. Mr. President, I have an amendment on the desk which I offer as an amendment to the amendment offered by the Senator from Louisiana.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 5, at the end of line 7, it is proposed to add the following:

It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public.

Mr. McCLELLAN. Mr. President, in discussing the Bailey amendment last Wednesday I made reference to this provision of that amendment and, stated at the time that I considered offering it as an amendment to the original committee amendment, that is, the one now offered by the Senator from Louisiana. I stated at that time my reasons why I felt that this provision should be a part of the flood-control bill and the policy provisions of this measure. I do not deem it necessary to discuss it. I believe that all benefits resulting from the sale of power which come from Government-built facilities such as power dams or flood-control dams should be passed on to the consuming public. I do not know whether this provision is wholly adequate to accomplish that purpose, but I do not believe in making any contract for the power with a private utility at a low rate for the wholesale price without some provision being in the contract whereby the benefits of the cheap power will be passed on to the ultimate consumers.

Mr. MURRAY. Mr. President, will the Senator state briefly the burden of his amendment?

Mr. McCLELLAN. As I have said, I take no credit for the authorship of the amendment. I took this provision from the Bailey amendment. The amendment provides that in all contracts made for the sale of power it shall be stipulated that the benefits therefrom shall be passed on to the ultimate consumer. This is the condition which I think it covers: We assume that the Government in these hydroelectric dams can generate power at a much cheaper cost than a private utility can, and can afford to sell it to cooperatives and to a private utility at the same rate. If it is pro-

duced cheaper and the private power company makes a contract for it on a cheaper basis than it can itself produce it, that benefit should be passed on to the consumer and not go as an additional profit or an increased profit to the private utility. That is what I think the provision would accomplish. If the law were strictly followed, that is if the purpose and intent of the amendment were followed, in the administration of the law, I think it would inure ultimately to the benefit of the actual consumer.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. RUSSELL. Just how would this benefit reach the consumer? As I read the amendment it provides that it shall not be done except in cases where there is no State regulation. I think nearly every one of the States has some regulatory body.

Mr. McCLELLAN. That may be true, and we probably could not usurp the authority of the State, but it certainly would express the intent on the part of Congress that the consumer should receive the ultimate benefit of this cheap power. It would at least express our intent that the law should be administered in that way.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. WHEELER. I will say frankly that it seems to me that in order that the ultimate consumer may obtain the benefit which the Senator seeks to give him by this provision, there should be stricken from the amendment the words "under Federal regulation where no State regulation exists," and simply say, "and all savings realized by the purchasers shall be passed on to the consuming public."

Let me say that in some States there may exist a State body which instead of regulating the power companies is regulated by the power companies. Where the Government is furnishing cheaper power the general public should receive the benefit of such cheaper power. I should be delighted to support the amendment if the Senator would strike out the language "under Federal regulation where no State regulation exists," so the provision would be, "and all savings realized by the purchaser shall be passed on to the consuming public."

Mr. RUSSELL. Mr. President, if the Senator from Montana will permit me, why not leave in the words "under Federal regulation" and strike out the remainder of the sentence?

Mr. WHEELER. I have no objection to leaving it under Federal regulation; but certainly the language "where no State regulation exists" should be eliminated, so as to read:

It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation to the consuming public.

Let me say to the Senator that my attention was called by the Bureau to a case involving one of the power companies in eastern Montana. Some of the people there were able to get a much

better rate by reason of the fact that the Bureau made the power company give a cheaper rate than was allowed by the State regulatory body. This was made possible because of the cheap power which the power company was getting from the Government. Otherwise, in connection with some of the projects, the power companies or municipalities may buy their power from the Federal Government at a very low rate, but when they come to sell it to the consuming public, they may charge a much higher price, and make a great deal of profit by reason of the low price of the power obtained from the Government. I believe that the general public ought to have the benefit of cheap prices for power. I feel that the only way we can make sure that the general public obtains the benefit is by doing as I have suggested.

Mr. McCLELLAN. That is the goal to which I am driving. My amendment may not be wholly adequate to accomplish the desired result.

Mr. WHEELER. I believe that the Senator's amendment would accomplish the desired result if the words "where no State regulation exists" were stricken out, so that the language would read:

It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation to the consuming public.

Mr. MURRAY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Arkansas yield to the Senator from Montana?

Mr. McCLELLAN. I yield.

Mr. MURRAY. Without striking out that wording, the result might be that the State regulatory body might permit higher rates. Some of the rates already established may be higher than would be justified, and those higher rates would be permitted to obtain in the case of power purchased at very low rates from the public power projects. It seems to me that if the Senator were to strike out that wording he would get substantial support for his amendment.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. McCLELLAN. I shall be glad to yield to the Senator in a moment.

It is not my purpose, Mr. President, to sponsor any amendment which would usurp the power of the State regulatory bodies to fix rates generally; but I do wish to see in the Federal law a protection against profiteering from the sale of power. The real benefits should go to the ultimate consumers. If it is necessary to modify the amendment to attain that objective, I have no objection to modifying the amendment to that extent.

I now yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, I am indeed pleased to know that the Senator is willing to modify his amendment. At some time later in the day I wish to read some correspondence between William J. Neal, Deputy Administrator of the Rural Electrification Administration, and myself in connection with the matter now

under consideration. The substance of it shows that in connection with a \$45,000,000 power plant built in South Carolina with Federal aid, in many instances power is now being sold at 4 mills to the power companies because of lack of ability to obtain priorities from the War Production Board for the construction of transmission lines. The power from that dam, which is sold at 4 mills, was made possible by the Congress of the United States. It is carried only a few miles, and the power company resells it to farm cooperatives for 12 mills, or three times the price paid for the power.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McCLELLAN. I shall be glad to yield in a moment. I should like to make a parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Is there a limitation of time in the discussion of this amendment?

The PRESIDING OFFICER. There is no limitation of time in the discussion of this amendment.

Mr. McCLELLAN. I thank the Chair. I now yield to the Senator from North Dakota.

Mr. LANGER. How are the savings mentioned by the Senator to be determined, and who is to determine them?

Mr. McCLELLAN. I assume that the contracting agent for the Government, the Secretary of the Interior, would write into the contract a provision which would protect the consuming public. This amendment is designed to give him that power.

Mr. LANGER. Suppose a transmission line were built; how would the savings be determined?

Mr. McCLELLAN. I believe that this provision would apply primarily to the private utilities and possibly public bodies which purchase power. Certainly they are now free to negotiate with the cooperatives and others, to give them the benefit of cheap power. But when power is sold to a private utility which already has established rates, if its cost of production is 4 cents a kilowatt, and it is able to buy power at the Government power dam for 2 cents a kilowatt, that represents a profit which should be passed on to the consumer and should not be permitted to be retained by the power company.

Mr. LANGER. I understand that; but when a dam is built, how are the savings to be determined, and who is to determine them?

Mr. McCLELLAN. I think the Federal Power Commission would have jurisdiction in determining what a fair rate would be. It would be consulted. Under the provisions of this amendment any rates established must be approved by the Federal Power Commission.

Mr. LANGER. As I understand, the rate to be fixed would take cognizance of any so-called savings.

Mr. McCLELLAN. We could refuse to contract with the private utility until such time as it satisfies us that it is passing on the benefits to the consumers.

Mr. LANGER. In other words, that the rates would be lowered.

Mr. McCLELLAN. Yes. I think we could do that. With this provision in the law, I do not believe that the Secretary of the Interior would be required to make a contract with a private utility until it met the provisions of the law.

Mr. President, I ask unanimous consent to modify the amendment which I have offered, by striking out the words "where no State regulation exists."

The PRESIDING OFFICER. The Senator does not require unanimous consent. The amendment is modified accordingly.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MURRAY. I merely wish to call attention to the fact that the amendment as it now stands provides that the Secretary of the Interior, in disposing of the power which will be generated at these dams, "shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission."

That is a mandate to the Secretary of the Interior to supply power at the cheapest possible rate consistent with sound business principles.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. McCLELLAN. I have finished. I am glad to yield the floor.

Mr. OVERTON. Then I shall speak in my own time.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. OVERTON. Mr. President, the amendment offered by the distinguished Senator from Arkansas has quite an appeal. I am in sympathy with the principle and theory advanced by the amendment. However, it has been hastily prepared. It was offered on the floor of the Senate, without any committee study or investigation. No hearings have been held in reference to it. I can now conceive of reasons why perhaps it would not operate properly, as it is now drafted.

Let us take, for example, a private power company, which desires to connect with a Federal dam and obtain power at cheap rates. Assume that it is so circumstanced that in order to do so it must undergo certain expenses. If every dollar of the savings realized must be passed on to the consumers, the power company may say, "What is the use? We would rather not go through all the struggle, and incur all the expense incident to the additional operation if we are to get no profit out of it."

The Secretary of the Interior would have authority under this amendment to enter into a contract with a power company so circumstanced, and to say to it, "Well, your case is an unusual one, and we are not going to exact that all the savings you make shall be passed on to the consumer, but we shall require in the contract that you pass on to the consumer 75 percent of the savings" or

"80 percent of the savings" or "90 percent of the savings."

To another power company he would say, "Your situation is entirely different. This additional operation would not require very much trouble insofar as your company is concerned. The transmission line would be a very short one. It would not require much additional overhead expense or many additional employees, and so forth. Therefore, we shall require that all the savings be passed on to the consumer before we dispose of the power to you."

I give those illustrations merely off-hand. As pointed out by the Senator from Montana, the amendment as it now reads expresses, I think, the correct thought, namely, that it gives to the Secretary of the Interior the power to "transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles."

Therefore, the Secretary of the Interior and the experts who represent him would negotiate with the private power company and would make an equitable adjustment of the amount of the savings which should be passed on to the consuming public. I do not think it should be 100 percent in all cases. I can conceive of many cases in which it should be less than that. Otherwise, a power company would say, "Well, we will let it alone; we will not take this cheaper power."

Furthermore, the amendment as offered provides that—

The Secretary of the Interior * * * shall * * * dispose of such power * * * at the lowest possible rates to consumers consistent with sound business principles.

I think that thought is the one which should predominate. But when it is said, as does the amendment proposed by the Senator from Arkansas—

It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation, where no State regulation exists, to the consuming public.

Then I ask: What Federal regulation? What Federal authority is going to make that regulation? That is not stipulated in the amendment proposed by the Senator from Arkansas. Before the Senate acts on an amendment of this character, I think it should be subjected to the scrutiny of the Department of the Interior and hearings should be held on it, so that we could have prepared a suitable and appropriate amendment which would meet an objective which I am sure practically every Senator would like to have achieved.

Mr. McCLELLAN. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. McCLELLAN. I should like to ask the Senator whether the amendment which I have offered in connection with the Bailey amendment was not considered by the committee and recommended for adoption.

Mr. OVERTON. There was no evidence at all; no hearings were held on it.

Mr. McCLELLAN. No; but the committee considered the Bailey amendment and recommended its adoption, and this provision was contained in the Bailey amendment.

Mr. OVERTON. That is perfectly true.

Mr. McCLELLAN. So the committee has considered it.

Mr. OVERTON. I did not say the committee had not considered it. I said there were no hearings and it was not submitted to the Department of the Interior.

I think an amendment of this sort should be formulated after consultation with experts and those familiar with the disposition of power through a public agency before the Senate undertakes to adopt it.

The amendment proposed by me, if adopted, will go to conference; and if in conference, after consultation with the Department of the Interior, something can be worked out which would carry out this very laudable purpose, so far as I am concerned, speaking for myself, I should be very happy, indeed, to vote for its inclusion.

But I think this hastily drafted amendment should not be adopted by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Arkansas [Mr. McCLELLAN].

The amendment as modified was rejected.

Mr. BARKLEY. Mr. President, many Senators have asked me about the program relative to the holding of a session tomorrow. I am anxious to get along with legislation as rapidly as possible. We have been in session nearly 2 weeks, but we have not yet done anything. If we are to wind up the last ends of business which remains to be disposed of at this session, or which should be disposed of, we must make some speed.

Nevertheless, I realize how difficult it is to make any headway on Saturday. If the amendments which are contemplated are offered—one by the Senator from Wyoming, and possibly others, which will be controversial—I doubt whether we can finish consideration of the bill today, although from day to day I have been joining with the Senator from Louisiana in hoping that we could finish its consideration on that particular day. But here we are.

What is the Senator's idea about attempting to hold a session tomorrow?

Mr. OVERTON. Frankly, Mr. President, I do not think there is any possibility of completing consideration of the bill today. I think there might be an opportunity to complete its consideration on Saturday if we could get proper attendance here.

Mr. BARKLEY. That is always the problem.

Mr. OVERTON. But I know the difficulty which lies in the way of securing the attendance of a quorum on a Saturday.

I am perfectly willing to yield to the better and more trained and experienced judgment of the majority leader.

Mr. BARKLEY. I was not inquiring for the purpose of bringing today's session to a close now, but in order that I might advise Senators as to the probabilities of a session tomorrow.

In that connection, I wonder whether it would be possible to secure a limitation on debate on the bill and the amendments which will be offered, beginning with the next session.

Mr. OVERTON. I doubt whether it would be exactly the proper thing to secure a limitation on debate on the O'Mahoney amendment, because it is rather involved and intricate, and I think we will find some difficulty with it.

Mr. BARKLEY. I am not pressing the matter. I am simply attempting to feel out the situation.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. If the Senator from Vermont [Mr. AIKEN] is going to offer the amendment which it has been indicated he will offer, namely the St. Lawrence waterway amendment, I can say to the Senator from Kentucky that I intend to speak indefinitely on that subject.

Mr. BARKLEY. I was afraid of that. [Laughter.]

Mr. CLARK of Missouri. In other words, I would not be willing to agree to any arrangement about amendments which would put a limitation on debate on the St. Lawrence waterway amendment.

Mr. BARKLEY. I have been conferring with the Senator from Vermont about his intention of offering that amendment to the pending bill. He has previously indicated his intention to offer it to the river and harbor bill, not to the pending bill. The result of my conference with him is that he himself has not yet decided which he will do.

Mr. CLARK of Missouri. Yesterday the Senator from Vermont told me that he did not know to which bill he would offer his amendment. I can say to the Senator from Kentucky that I not only know several different ways of speaking on a bill, but I know several different ways of offering amendments to a bill.

Mr. BARKLEY. The Senator does not have to remind me of his skill in that regard.

Mr. CLARK of Missouri. In other words, I am reserving every right I possibly have on the St. Lawrence waterway.

Mr. OVERTON. Mr. President, I suggest that we beat the devil tomorrow, when we meet him. But I hope we do not meet the devil.

Mr. BARKLEY. We would not have to travel very far to get on his tracks.

Mr. WHITE. Mr. President, will the Senator from Louisiana yield to me?

Mr. OVERTON. I yield.

Mr. WHITE. I understood the Senator from Louisiana to say that in his opinion there was no prospect of passing the pending bill this afternoon.

Mr. OVERTON. The Senator is correct in his understanding.

Mr. WHITE. I completely concur in the view expressed by the Senator from Louisiana. I hope that no effort will be made to hold a session tomorrow, which

will be Saturday. Senators do not waste their time on Saturdays, even though the Senate be not in session. Saturday affords an opportunity, which all Senators need, I believe, of clearing up correspondence and other matters which reach their desks during the week. If we hold a session of the Senate on Saturday we will find it increasingly difficult in the days of the coming week to keep Members on the floor of the Senate attending to legislative tasks. While I concur in the statement of the Senator that the pending bill cannot be passed this afternoon, I dare express the hope to him, and to the distinguished majority leader, that no effort will be made to hold a session tomorrow.

Mr. BARKLEY. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. I thank the Senator from Maine, and all other Senators, for their suggestions, which clear the atmosphere sufficiently for me to announce that we will not be in position to finish consideration of the pending bill today, and that we will not hold a session of the Senate tomorrow. Having made that statement, Senators may govern themselves accordingly.

I wish to say further, Mr. President, that certain legislation must be acted upon before this Congress expires. I have reference to legislation providing for the extension of certain war powers. It may be necessary to ask that the pending bill be laid aside in order that we may consider legislation for the extension of certain war powers which would otherwise expire on the 31st of December. I hope that we may dispose of the pending bill promptly enough to make it unnecessary to lay it aside in order to take up the other matters to which I have referred.

Mr. OVERTON. I think that question can be taken up when there is necessity for it being considered.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. Will the Chair state what is the business now pending before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana on behalf of the committee.

Mr. BANKHEAD. Mr. President, will the Senator from Louisiana yield to me?

Mr. OVERTON. I yield.

Mr. BANKHEAD. With reference to the matters appearing on the calendar or to which an agreement has been reached, it is evident that it will be difficult to take them up and pass them before a majority of the Members of the Senate go home for the holidays and we would have difficulty in developing a quorum. In order that we make all the progress we can, I wish to ask the Senator from Kentucky if he believes it would be possible to get an agreement now, at the end of a week's debate on the pending flood-control bill, relative to a time for voting on it.

Mr. BARKLEY. Personally, I should be glad to enter into such an agreement,

but I doubt whether it would be possible to reach an agreement of that nature at this time. I doubt whether Senators would now agree on a time to vote on the bill. Such an agreement would probably depend upon the character of amendments to be offered. I hope that no difficulty will be encountered in completing consideration of the pending bill and also the river-and-harbor bill by the end of next week. I doubt whether we could now reach an agreement to vote on the final passage of the pending bill on any date next week.

Mr. OVERTON. I believe that by next Monday we might be in position to reach such an agreement. It might not be possible to reach it early in the day, but I think it could be reached later in the day.

Mr. BARKLEY. Possibly we could reach an agreement later, but the Senator asked me if we could do it today, and I doubt it.

Mr. MURRAY. Mr. President, I do not see any need of attempting to speed the pending bill through Congress without affording opportunity for an adequate discussion of it. I think the pending bill is one of the most important pieces of legislation that can be brought before the Senate. I certainly will not agree to any limitation in the time to be allowed in presenting the proper views which I have in connection with the matter. I intend to bring up the Missouri Valley Authority amendment and have it considered in connection with the pending bill.

Mr. OVERTON. Mr. President, when the Senator does that, if the Chair will give me recognition, I will move to lay it on the table.

Mr. MURRAY. Mr. President, that would not prevent me from discussing the matter. I intend to bring forward the Missouri Valley Authority amendment and have the Senate understand what it is, and also point out to Members of the Senate what the effect of the proposed legislation would be on the country.

The entire purpose of the effort to speed the pending bill through Congress is to prevent the country from having the Missouri Valley Authority established in the West. The Missouri Valley Authority is absolutely necessary to the interests and welfare of the people in my section. I will not consent to any limitation of time in debate upon the present measure.

Mr. BARKLEY and other Senators addressed the Chair.

Mr. OVERTON. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Louisiana has the floor. Does he wish to yield; and if so, to whom?

Mr. OVERTON. I will not yield to anyone.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. OVERTON. Mr. President, when I stated that I would move to lay the Missouri Valley Authority amendment on the table in the event it should be offered by the Senator from Montana, I did so for certain reasons. In the first place, the Senator from Montana has said that

the pending bill is being hastily railroaded through the Congress. It was originally introduced in the other House more than a year ago. Hearings were held on it for many weeks. It was passed by the House in the early spring of this year and sent to the Senate. Full hearings were held on it by a Senate committee, and everyone who had any amendment to propose was invited to come before the committee. I gave notice from the floor of the Senate that hearings would be held on the bill. I gave notice not only once but twice from the floor, and I also gave notice through the press. The Senator from Montana did not appear, nor did anyone else appear for the purpose of offering a Missouri Valley Authority amendment.

After the flood-control bill and the river and harbor bill had been reported, the Senator from Montana submitted the Missouri Valley Authority amendment. He now proposes to seek to have it incorporated in the flood-control bill as an amendment without any hearing having been held upon it by any committee, without any testimony having been heard, or without a report being made upon it by any department of the Government.

Mr. President, why do I say there should not be any discussion of the matter? The Senator from Montana has said that I am trying to railroad this bill through the Congress. I reply that I think he is making an effort to kill the pending bill in order that there may be no flood control bill, or river and harbor bill, but that, instead, there will be a grandiose Missouri Valley Authority bill enacted next year by the Congress of the United States.

I do not believe the Senate would be willing to consider the amendment to which the Senator from Montana has referred, and vote on it if it should be presented, without a hearing having been held on it or testimony presented in its support. Even those favoring the Missouri Valley Authority would like to have some opportunity of ascertaining whether its provisions are proper, or whether some amendment should not be offered to it. So, Mr. President, I do not believe the time has come when the Senate will legislate in any such manner as proposed by the Senator from Montana.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURRAY. I understood the Senator to say that the pending bill had been the subject of very exhaustive hearings, that the bill was carefully prepared and studied, and that no objections had been made to it.

Mr. OVERTON. I did not say that no objections had been made to it.

Mr. MURRAY. Is it not a fact that a fight has been made against this measure because it totally ignores the irrigation rights of the States in the upper part of the valley? Is it not true that the Senator from Louisiana and others supporting the proposed legislation attempted to get together for the purpose of preventing a Missouri Valley Authority, and that an agreement has been entered into between the Department of the Interior and Army engineers—

Mr. OVERTON. The Senator asks me too many questions at one time. Let me answer. No; I did not undertake to defeat the Missouri Valley Authority by having the Army engineers and the Bureau of Reclamation enter into any agreement.

Mr. MURRAY. Well, Mr. President—

Mr. OVERTON. I ask the Senator to wait a moment. He asked me several questions. The other question was as to whether there was not an irreconcilable conflict between the lower Missouri Valley people and the upper Missouri Valley people. There is no irreconcilable conflict. The volume of testimony taken upon that subject showed rather conclusively to myself, at least, and to the junior Senator from Wyoming and the junior Senator from Colorado that if an opportunity were given the engineers of the Bureau of Reclamation and the engineers of the War Department to get together they could reconcile the differences. They did get together, and they filed a joint report. So there is no irreconcilable conflict at all, and there has been no attempt to get any proposed legislation for the Missouri Valley Authority.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURRAY. Does not the joint agreement which is supposed to have been entered into between the Bureau of Reclamation and the Army engineers show on its face that the projects which are being incorporated in and approved by this proposed legislation have not as yet been engineered and not worked out? Does it not show that this is simply a list of projects thrown together for the purpose of making it appear that there are projects which can be worked upon, although they are not ready at all? The last paragraph of the agreement says—

Mr. OVERTON. Let us stop at one question.

Mr. MURRAY. What I am asking is one question; it is all a part of the question.

Mr. OVERTON. Very well.

Mr. MURRAY. The agreement itself says:

Precise elevations and heights of reservoirs and dams and final determinations of the power installations required can be agreed upon after more detailed plans and cost estimates have been obtained and compared with benefits and after consideration has been given to the desires and objections of persons affected by the proposed developments.

The agreement proceeds on that very basis.

Mr. OVERTON. I do not yield for any additional questions until I have answered that one.

Mr. President, the Senator from Montana is in error when he says that only slight consideration was given to the projects contained in the joint report. For years the Army engineers have worked in the Missouri River Basin in order to determine proper projects for flood control and navigation and for a number of years the expert engineers of the Bureau of Reclamation have been working in order to decide upon proper projects for irrigation and local bene-

ficial uses of water in the States comprising the Missouri Basin. The testimony before my subcommittee showed that there were really very little differences between the two and that they could probably be reconciled. They were reconciled. But every one of those projects has undergone careful scrutiny by the engineers of the Bureau of Reclamation or by the Army engineers.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. I merely wish to ask the Senator a question, which can be answered yes or no if the Senator wishes to do so. Is it a fact that the subcommittee of the subcommittee of the Committee on Commerce having to do with both flood control and the river and harbor bill, of which the distinguished Senator from Louisiana is chairman, held hearings for 5 or 6 weeks—I think for at least 6 weeks—at which numerous Senators who were not members of the committee attended, examined witnesses, and presented their side of the controversy, and is it a fact that neither the Senator from Montana [Mr. MURRAY] nor the Senator from North Dakota [Mr. LANGER] appeared before the committee during that period to present the famous so-called Murray-Langer amendment?

Mr. OVERTON. So far as I recall, the Senator from Montana never made an appearance.

Mr. CLARK of Missouri. I think I attended practically every hearing of the subcommittee. I was very much interested in the matter.

Mr. OVERTON. The junior Senator from North Dakota did on one day make a very brief appearance—

Mr. CLARK of Missouri. I happened to miss that day.

Mr. OVERTON. With respect to a proposal in connection with his State; that is all.

Mr. CLARK of Missouri. In other words, the matter was not presented to the subcommittee or to the full committee of the Commerce Committee at all.

Mr. OVERTON. No; but I want to say that some Senators from the Golden West, the Senator from Wyoming [Mr. O'MAHONEY], who is not a member of the committee, and other Senators, including the Senator from Colorado [Mr. MILLIKIN], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Montana [Mr. WHEELER] all appeared in a concerted effort with the committee to try to reconcile the differences and to undertake it in a way to present something on which the Senate of the United States and the House of Representatives could act intelligently, after full and free discussion, with the objective, Mr. President, of developing the Western States. The evidence of it confronts all Members of the Senate who are now in the Senate Chamber in the matter of the Missouri Basin States. It starts at the mouth of the Missouri River. There is the navigation channel at Sioux City. This has all been agreed upon, and then there are the flood-control and navigation projects above Sioux City, running up to the mouth of the Yellowstone River.

Those are the dams in which the engineers are most vitally interested with a view of having flood protection and navigation and incidental irrigation. Most of the other dams which can be seen dotted like flyspecks over the map in the rear of the Chamber are the dams and reservoirs which the Bureau of Reclamation has been working upon for years. They are essentially irrigation reservoirs. A joint report has been submitted and the differences have been reconciled in reference to two or three of the dams on the main stem of the Missouri River which were the main point of the dispute. Those differences having been reconciled, it seems passing strange to me that any Senator from the West should oppose a joint report involving the expenditure of \$1,250,000,000 to develop the West. I cannot conceive why he should do it.

Mr. CLARK of Missouri. Mr. President, will the Senator indulge me further?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. As a member for many years of the subcommittee of the Commerce Committee I can bear witness to the industry and genius I may say of the chairman of the subcommittee, the distinguished Senator from Louisiana. I should like to ask the Senator from Louisiana if he ever heard during the long and arduous sessions involving great controversies as to flood control and river and harbor problems of the United States a suggestion made of the so-called Murray-Langer amendment.

Mr. OVERTON. None whatsoever.

Mr. CLARK of Missouri. I attended most of the sessions—the Senator from Louisiana attended them all—but I never heard any such suggestion made, and I never saw the Senator from Montana or the Senator from North Dakota at a meeting of that committee. If they ever intended to offer such a suggestion as that, they certainly never offered it to the committee having jurisdiction over the subject matter.

Mr. MURRAY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from North Dakota?

Mr. OVERTON. I yield the floor.

Mr. LANGER. Mr. President, will the Senator yield to me before he yields the floor?

Mr. OVERTON. Does the Senator desire to ask me a question?

Mr. LANGER. Yes.

Mr. OVERTON. Certainly, I yield.

Mr. LANGER. I merely wish to keep the record straight. I want to suggest to the Senator that his memory is slightly at fault, for I not only appeared at the time he indicated, but the Senator very kindly one day gave me nearly an hour in his private office to go over this matter with him.

Mr. OVERTON. I have discussed it with a great many Senators and with a great many who are not Senators.

Mr. LANGER. I said at that time that I intended to be at the meeting, but was engaged in other committee meetings. I went, however, to one meeting and all those called by the Senator from Wyoming [Mr. O'MAHONEY], who is in charge

of another angle of this bill. I personally appeared together with other Senators. I merely wish to keep the record straight.

Mr. OVERTON. But neither in any private or in any public appearance did the Senator ever mention the Missouri Valley.

Mr. LANGER. Not so far as the Senator from Louisiana was concerned.

Mr. BUTLER. Mr. President, will the Senator from Louisiana yield for a question?

Mr. OVERTON. I yield.

Mr. BUTLER. I think Nebraska is the only State in the entire group of the Missouri Valley Basin which is 100 percent within the Missouri Valley Basin. So we in Nebraska are keenly interested in the adoption of this proposal, and I for one would very much regret any delay in the passage of the bill at this session of Congress.

The question I wish to ask either the Senator from Louisiana or the Senator from Montana is this: Would not the passage of this bill as proposed at this session work in line with the ultimate development, if some future Congress desires to organize it, of an M. V. A.? Whatever we do under this bill will be a constructive part of the program in the future, so let us not delay the development of the Missouri Valley area at this time, and have further damage of millions and tens of millions of dollars year after year while we are waiting to determine something which has not yet had a hearing before Congress.

Mr. MURRAY. I might say, in answer to that, if the Senator from Louisiana will permit, that the bill as it now stands undertakes to foreclose the possibility of a Missouri River Authority, by reason of the provisions which are in the bill. The Senator will notice in section 9, I believe it is, under the head of "Missouri River Basin," the bill undertakes to set up a Missouri River Commission. He will notice on page 21 of the bill, starting at the third line, that it proceeds to describe the Missouri River Commission which is to be set up in connection with the legislation. The purpose of that is to get away from the possibility of a Missouri River Authority.

Mr. CLARK of Missouri. Mr. President, of course, the Senator may not be familiar with the vast amount of work which has been done by the Mississippi River Commission, which I think everyone who lives in the lower part of the Mississippi Valley will agree was directly responsible, under the great Overton Act, introduced by the Senator from Louisiana [Mr. OVERTON] for preventing in the lower part of the Mississippi Valley floods which used to be so disastrous.

This bill is supposed to be a flood-control bill. The creation of a Missouri River Commission, patterned along the lines of the Mississippi River Commission, certainly would not interfere with any future legislation which Congress might see fit to enact setting up a Missouri Valley Authority. This is a flood-control bill and is necessary because frequently in my section we are under the water. The Senator from Montana may not be so much interested in it, but down

at my end of the Missouri Valley we are under the water every year. We have had as many as two or three floods a year, and the whole theory of setting up a Missouri Valley Commission is simply that while we pursue the present system of keeping the water off us so far as we can, we adopt the methods which have been used in the lower Mississippi Valley.

Mr. President, this is an amendment I myself offered. There is no intention on earth of precluding any future development which might come about in the way of an M. V. A., although I am personally opposed to that. It is for the purpose of keeping the water off people who are now suffering inundation.

Mr. MURRAY. I will say, in answer to what the Senator has stated, that we in the upper States are in complete sympathy with his program and his efforts to protect the people in his part of the valley from the water, and we wish to cooperate with them, but they have been unable to get to any agreement and they have been fighting about this for a long while.

Mr. CLARK of Missouri. The Senator stated that the inclusion of the provision in this bill for a Missouri River Commission was designed to preclude a Missouri Valley Authority. As the author of the amendment, I can say to the Senator from Montana that there was no such intention in connection with the amendment.

Mr. MURRAY. But the Senator is opposed to a Missouri Valley Authority.

Mr. CLARK of Missouri. I am; but that is an entirely different question. What I am trying to do now is to keep the water off the lands of people who live in the lower Missouri Valley.

Mr. MURRAY. Is it not the Senator's thought that the Missouri River Authority proposed to be set up will be better able to cope with this problem, and to work out a program?

Mr. CLARK of Missouri. I think that whether we ever have a Missouri River Valley Authority or not, which I think is an extremely problematical question, the Missouri River Commission, armed with proper authority, similar to that of the Mississippi River Commission, would be able to solve the flood control situation in the lower reaches of the Missouri River, which I think is very vitally necessary to the lives of our people.

The Senator from Montana, who lives on the upper reaches of the Missouri River, is in a position to regard the whole problem from an extremely theoretical view. I never in my life lived more than 15 miles from the Mississippi River and 20 miles from the Missouri River. I happen to live where the flood problems actually exist, and I therefore regard the subject from an extremely practical standpoint, not from a theoretical standpoint, not from reading newspaper editorials, not from reading Dave Lillenthal's book, not from reading anything of that sort. I regard it from the standpoint of a man who lives under the floods which come down.

Mr. MURRAY. I wish to say to the Senator that my interest in this problem has not been stimulated by reading any

editorials. I live in Montana, and have lived there for nearly half a century, and I know this problem. I know how it affects Montana, and I know how it affects the lower valley States, too, and I am in sympathy with working out a program for this problem so that it will benefit not only Montana and Missouri and the other States, but the whole country.

Mr. CLARK of Missouri. But the Senator from Montana insists not only on working out a flood-control program, but also on imposing a supergovernment on us, to which a great many people in Missouri are opposed.

Mr. MURRAY. The theory of working it out from the standpoint of flood control alone has failed, and it has failed continually for many years. This piecemeal effort to handle this problem will never succeed. That is the judgment and opinion of the best engineers and the best students of the problem all over the United States today. If Senators will take notice, all over the country people are beginning to discuss this subject, and demand that we have a program which will not only handle the actual construction of these dams but will handle the other problems which are incidental to the development of these basins, and without that we are not going to be able to meet the problems which will be upon us at the end of this war. If we are to find jobs for the millions of workers who will be compelled to hunt for jobs when the war ends, we have to have a program which will enable us to develop the resources of these Western States—these valleys—which have tremendous resources, and have a basis for settling millions of new settlers in that section of the country. We cannot further expand industry in the East, where it is already overdeveloped. We will have to come out to this area, where we can bring in millions of new settlers, and develop it.

There is a beautiful map here on the wall—a very alluring thing to look at—but the projects are not engineered, and this agreement, which has been signed by the Army engineers and the Bureau of Reclamation, shows that they have not been engineered. But the effort is to enact legislation, and go into the engineering problems afterward.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. OVERTON. Does not the Senator understand that after any project is authorized, whether it be under the War Department, or should, perchance, be one connected with the Bureau of Reclamation work, detailed plans and specifications are prepared?

Mr. MURRAY. Yes.

Mr. OVERTON. In the further study it frequently becomes necessary, as an engineering proposition, to make modifications so as to come nearer perfection and improve the project.

That is especially true with reference to basins. I do not think we have ever authorized the development of any basin or project and at the same time have not given authority to the Chief of Engineers to make such modifications as in his discretion are deemed reasonable. Those are minor modifications which come up

in detailed study of plans and after further investigation. If a Missouri River authority were established and it would undertake to fix upon a project without any modifications it would reduce itself to an absurdity.

I will give the Senator an example. There was under consideration the construction of what is now known as the Kentucky Dam. The T. V. A. had intended to build that dam at one place on the river. The evidence first adduced showed that, as the dam was to be administered by the T. V. A., the place chosen by the T. V. A. was the proper place to construct the dam. Further investigation showed that that was not the proper place to construct it, that it should be constructed farther down the river. It was found on further investigation that safe foundations could not be constructed at the point originally designated for the location of the Kentucky Dam, so modifications were made and the dam was located further down the river. That is true also with respect to other dams in the T. V. A. system. I am quite sure that is true. The Senator from Tennessee [Mr. McKellar] is not present at the moment to verify my statement. I do not think there is any doubt, however, about the truth of the statement. Modifications must be made wherever necessary, and I think it would be a very unsound thing for the Congress to authorize the development of any basin and not give authority to those entrusted with the development to make such minor modifications as may be necessary.

Mr. MURRAY. No one is criticizing the need for minor modifications. That is not what I am discussing.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MURRAY. Yes; I yield.

Mr. LANGER. May I call the attention of the distinguished Senator from Louisiana to the fact that on the 18th day of August, 3 months ago, the junior Senator from Montana [Mr. MURRAY] discussed the M. V. A. in detail upon the floor of the Senate. He at that time talked for over an hour and a half on the subject. At that time he said that this is an over-all proposition; that it involves flood control, that it involves irrigation, and that it involves power, and that before any legislation were enacted the Senator from Montana intended to be heard upon the matter on the floor of the Senate. That, as I understand it, has been the attitude of the distinguished junior Senator from Montana. Am I not correct in that statement?

Mr. MURRAY. The Senator is correct in his statement.

Mr. LANGER. The Senator from Montana went into the minutest detail in his discussion on the floor of the Senate.

Mr. OVERTON. Certainly he did. That was his own testimony, and he was speaking to his own bill, and not to an amendment to the pending bill.

Mr. LANGER. But that was done 3 months ago.

Mr. OVERTON. Certainly it was.

Mr. LANGER. So certainly the Senator from Louisiana cannot say that he is taken by surprise now, and that we are

not acting in good faith when we now offer the amendment dealing with the M. V. A.

Mr. OVERTON. I do not charge Senators with any bad faith, but I do think it is wholly unsound and wholly unreasonable to offer such important legislation as a proposal to establish an authority to regulate the whole Missouri Basin, which stretches miles upon miles over the country, and goes through State after State, without any evidence being presented, and simply to accept the proposal on the ipse dixit of the Senator from Montana and the Senator from North Dakota.

Mr. MURRAY. Mr. President, in reply to that, I may say to the Senator from Louisiana that all over the country people are expressing alarm at his action in seeking to force this legislation through the Senate at this time. I read an editorial in the Washington Post day before yesterday in which was pointed out the viciousness of the proposed legislation and the fact that it was unnecessary.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. CLARK of Missouri. The Senator has not heard anyone deny that exhaustive hearings have been held by the Subcommittee on Rivers and Harbors and the Subcommittee on Flood Control of the Commerce Committee, that everyone was afforded the fullest opportunity to appear before the subcommittees, that a very large number of witnesses did appear before the committees, and that the matter received the fullest consideration by those subcommittees and also by the full committees.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. As I said, I never saw the Senator from Montana or the Senator from North Dakota before either the subcommittees or the full committee.

Mr. MURRAY. But after all these exhaustive hearings which were had and the full consideration which was given, the members of the committee did not do anything about the matter.

Mr. CLARK of Missouri. The Senator from Montana thinks that he can go over to his office and hold a caucus with himself and make up his mind as to very much more improved legislation than the subcommittee and the full committee having jurisdiction of the subject could prepare.

Mr. MURRAY. Oh, no.

Mr. CLARK of Missouri. I am not in agreement with that view. I do not think there is anything innate in the distinguished Senator from Montana which permits him to lock himself up in his own office by himself, and possibly with a representative of the C. I. O.—

Mr. MURRAY. Well, now, just a minute.

Mr. CLARK of Missouri. And arrive at a conclusion that is better than that of the Commerce Committee.

Mr. MURRAY. I should like to ask the Senator where he got this notion that I was locked up in my office with a C. I. O. representative?

Mr. CLARK of Missouri. Mr. President, I got the notion from the fact that the Senator habitually introduces measures sponsored by the C. I. O.

Mr. MURRAY. The Senator is gravely mistaken about the Senator from Montana. I have not undertaken to introduce any legislation coming from the C. I. O. I never introduced a bill in the Senate of the United States since I have been here on behalf of the C. I. O. or after consultation with them on any subject whatever.

Mr. CLARK of Missouri. Mr. President—

Mr. MURRAY. Just a moment. I have the right to defend myself.

Mr. CLARK of Missouri. Mr. President, I apologize to the Senator from Montana.

Mr. MURRAY. I have the floor.

The PRESIDING OFFICER. The Senator from Montana declines to yield.

Mr. MURRAY. I have the floor. The Senator from Missouri has cast some aspersions upon me here, and I want to tell him that my record in the Senate is just as good as his, if not a little better in some respects, and I want to tell him that he has no right to stand up on the floor of the Senate and try to create the impression that I am an agent for the C. I. O. here. I am not. I have not introduced one bill since I have been in the Senate of the United States in which the C. I. O. was interested. I have never consulted them on the pending legislation. So that the Senator is entirely mistaken when he tries to create the impression here that I have been associated with or interested with the C. I. O. in connection with this legislation.

The Senator said that I locked myself up in my office and then undertook to determine for myself what kind of legislation we should have here. I have not done anything of the kind. The Senator told us here a few moments ago that a number of Senators from the West appeared before his committee here and they tried to advise the committee and assist the committee in working out legislation, but the members of the committee did not work it out, they did not accept the suggestions of those who appeared before them. The Senator from Wyoming [Mr. O'MAHONEY] has a bill pending now—

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. SHIPSTEAD. For the information of the Senate along the line the Senator is discussing now, I wish to say that the Senator from Vermont [Mr. AIKEN] and I went before the committee and asked to be heard on the subject of the St. Lawrence waterway. We could never obtain a hearing. The Senator from Louisiana would not give me a hearing if I did go there. The Senator would not give me a look-in anyway.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. CLARK of Missouri. It is unquestionably a fact that the subcommittee of the Commerce Committee has been

holding hearings on the St. Lawrence waterway for the last 3 days, is it not?

Mr. SHIPSTEAD. I do not know of it.

Mr. MURRAY. Secret hearings.

Mr. SHIPSTEAD. I never heard of it.

Mr. CLARK of Missouri. They have been holding hearings.

Mr. SHIPSTEAD. I never heard of it.

Mr. CLARK of Missouri. There is no question that they have been holding hearings. The Senator from Vermont—

Mr. MURRAY. No one was notified of them. I will ask the Senator from Vermont if that is not true?

Mr. AIKEN. Mr. President, I am sorry I did not hear the conversation.

Mr. CLARK of Missouri. The charge has been made here that the Commerce Committee refused to allow hearings on the St. Lawrence waterway. Is it not true that the subcommittee of the Committee on Commerce held three different hearings on the St. Lawrence waterway?

Mr. AIKEN. No; I did not understand that they held any hearings on the merits of the waterway. I think what the Senator refers to is what happened last spring, when the river and harbor bill came over from the House.

Mr. CLARK of Missouri. Did they not have a hearing this morning?

Mr. AIKEN. I do not know whether they did. I am not on the committee.

Mr. CLARK of Missouri. Was not the Senator notified?

Mr. AIKEN. No.

Mr. CLARK of Missouri. Was he not notified day before yesterday?

Mr. AIKEN. No.

Mr. OVERTON. Mr. President, during my temporary absence from the Chamber I am advised the question was asked what notice was given of the hearings on the St. Lawrence seaway. When the hearings were contemplated I wrote a letter to the members of the subcommittee stating I was going to call a meeting of the subcommittee for the purpose of determining when hearings would be conducted and what would be the preliminary scope of those hearings.

I suggested to the members of the subcommittee that we begin hearings on the following Monday—that was Monday of this week—November 20, and that the hearings be confined to the preliminary, fundamental, and paramount question as to whether the arrangement between the Dominion of Canada and the United States of America is a treaty or an executive agreement—in other words, whether it is an instrument requiring ratification by a two-thirds vote of the Senate, or whether it could be ratified by a majority vote of both Houses. I sent a copy of that notice to the Senator from Vermont, the author of the bill, and also to others who were interested in the matter.

When the subcommittee met it determined to begin hearings; not on Monday, but on Tuesday, November 21, and to confine the hearings to the question whether or not the arrangement is a treaty or an executive agreement. I promptly notified the Senator from Vermont, the author of the bill, that hear-

ings would be begun in the rooms of the Senate Committee on Commerce, and invited him to attend the hearings. I explained to him exactly what the scope of the hearings would be, and told him in effect that we would be very glad to hear any statement which he might desire to make.

The Senator from Vermont did not answer the courteous invitation which I extended to him, but the other day he took the floor of the Senate and stated that he had received the invitation, but did not propose to attend. Therefore the Senator from Vermont has had notice. We had hearings on Tuesday and Wednesday. Thursday was Thanksgiving Day. This morning, because of the absence of two witnesses whom we expected to have on the stand, there were no witnesses to testify, and we took a recess until Monday. That is the status. Notices were given in the press as to the hearings, and the scope of the hearings. The intimation of concealment on the part of the Senate Committee on Commerce is wrong, both with reference to the river and harbor bill and the flood-control bill, as well as the St. Lawrence seaway. There has never been any concealment. I gave notice on the floor of the Senate as to the time of the hearings and the schedule of hearings, project by project, both as to the river and harbor bill and the flood-control bill. I gave a notice twice or possibly three times. I called in representatives of the press and gave them the notices, and the press published the notices.

With respect to the St. Lawrence seaway, notices were given in the press. Those notices were issued before the Senate was in session, and therefore I could not give notice on the floor, but I notified the author of the bill, as well as others interested, who I thought might wish to testify. I notified the State Department and the Department of Justice. I also notified the representatives of those who oppose the St. Lawrence seaway.

Mr. MURRAY obtained the floor.

Mr. AIKEN. Mr. President, will the Senator from Montana yield to me long enough to make an explanation of the matter which has been brought up?

Mr. MURRAY. I yield.

Mr. AIKEN. I hope I shall not be interrupted before I have finished.

First, there is the question of the Committee on Commerce refusing last spring to hear the proponents of the St. Lawrence seaway, when the Senator from Minnesota [Mr. SHIPSTEAD] and I visited the Committee on Commerce. The river and harbor bill had come over from the House. Hearings were announced by the Committee on Commerce. After they were announced I read—I believe in a schedule sent out by the Senator from Louisiana—that 2 days would be devoted to the Tombigbee waterway, which was not in the bill when it came over from the House. So long as there was a proposal to add this southern waterway to the bill, it occurred to me that it would be entirely apropos to add the St. Lawrence seaway project also. So I asked the chairman of the Committee on Commerce if he would give us an equal

amount of time to present the merits of the St. Lawrence seaway project. He declined to do so.

One day the Senator from Minnesota and I visited the committee while it was in session. The official reporter took down the statement which I made. I asked the Senator from Louisiana if he would give us 1 hour to present the merits of the St. Lawrence seaway project, with the idea of offering it as an amendment to the river and harbor bill, and he refused to give us 1 hour.

Mr. OVERTON. Mr. President, will the Senator yield to me for the purpose of correcting the RECORD?

Mr. AIKEN. No; I will not yield. I wish to finish.

The Senator from Louisiana, however, did say, along about that time, in April, that he would hold hearings on the St. Lawrence seaway bill. He so stated on the floor of the Senate. He met me at various places and assured me that he would hold such hearings without delay just as quickly as he could finish with the river and harbor bill.

The committee finished with the flood-control bill first, I believe, and with the river and harbor bill in June. No time was set for hearings on the St. Lawrence seaway. We took a recess in July. The Senator had told me that he would start hearings as quickly as possible after we came back. I believe we came back about the 1st of August. In the meantime, Mr. President, he had engaged in a primary campaign. I had no inclination to hinder his work in that campaign, so I did not press him for hearings at that time, feeling sure that as soon as the Louisiana primaries were over, on the 12th of September, he would proceed with hearings on the St. Lawrence seaway project, and that it might be possible to obtain action on it at this session of Congress.

However, about the time the campaign was finished I received a copy of a page from the New Orleans Times-Picayune of Sunday, September 10, 1944. It is a full-page paid advertisement, which I hold in my hand, in behalf of the senior Senator from Louisiana. I shall read it again. I read it the other day, and I shall read it as often as it is necessary, as often as the question is raised.

In one part of the advertisement we find the heading "Opposes St. Lawrence Seaway." I read:

OPPOSES ST. LAWRENCE SEAWAY

With JOHN H. OVERTON in the Senate Louisiana and the South need have no fear that the freight traffic that justly should pass through our ports will be diverted by greedy combinations and unfair legislation to the so-called St. Lawrence seaway.

THREAT TO NEW ORLEANS

New Orleans knows that the proposed St. Lawrence channel is a threat to the export and import business that means so much to the Crescent City. The proposal means that hundreds of millions of taxpayers' dollars will be spent to make an artificial sea channel through the ice-bound North to carry freight to the eastern seaboard that now more easily and economically moves down the great Mississippi through New Orleans. The proposal is doubly unfair because Federal taxes levied on Louisiana would be used to destroy Louisiana commerce.

OVERTON STOPS PROJECT

Senator JOHN H. OVERTON has successfully prevented the passage of this measure, because he is chairman of the Senate special committee in charge of legislation concerning the St. Lawrence seaway. Senator OVERTON declared his opposition to this visionary scheme when the chairmanship was tendered him, but his colleagues in the Senate, knowing his thoroughness and uprightness, insisted that he accept the appointment. This compliment to JOHN H. OVERTON's character has hardly been surpassed in the annals of the American Congress. The compliment to Louisiana should not be lightly tossed aside. But more than that, if JOHN H. OVERTON does not return to the Senate, into whose hands would this project fall?

Today JOHN H. OVERTON is the stalwart and successful defender of Louisiana's rights. Louisiana must return him to the Senate.

In another column of the advertisement his opposition to the seaway is reiterated. In still another column it is stated that the Senator from Louisiana can get appropriations. It tells about all the money he can get for Louisiana through the flood-control and river-and-harbor program. I quote:

Senator OVERTON is one of the senior majority members of the Senate Appropriations Committee, and from this committee will come the legislation appropriating the money to pay for the deep-water channel.

These two committee positions, so important right now to New Orleans, will be lost to the city and to Louisiana should Senator OVERTON not be reelected.

NEW ORLEANS NEEDS OVERTON

Because New Orleans needs Senator JOHN H. OVERTON's influence and prestige in the Senate and because he will handle the deep-water-channel legislation are only two among many reasons why every loyal citizen of New Orleans and of the State should vote for Senator OVERTON's reelection on September 12.

New Orleans' one great hope for a deep-sea channel lies in the reelection of Senator JOHN H. OVERTON.

That is from the paid advertisement I have been reading.

After that I received many clippings from Louisiana newspapers. I should like to read several of them. One is from the Shreveport Times for August 9, 1944. It is a report regarding a radio address made by the Senator from Louisiana [Mr. OVERTON] from Washington, D. C., on August 8, 1944. I quote from the newspaper clipping:

The Louisiana Senator spoke by radio from the Capital, where he has been attending to official business of the Senate.

Senator OVERTON pointed out that he began his career as a Member of Congress in the House of Representatives in 1931, serving then on the House Flood Control Committee, and then went on to the United States Senate, where he now occupies such important and key posts as chairman of the Subcommittee on Flood Control, of the Subcommittee on Rivers and Harbors, of the Subcommittee on the St. Lawrence Seaway (which he is fighting vigorously as inimical to southern business interests), of the Subcommittee on Navy Appropriations, ranking majority member of the Army Appropriations Committee, chairman of the Manufacturers' Committee, etc.

I have many other similar clippings from newspapers.

Here is another one which I should like to read. It comes from the Alexandria

Daily Town Talk for Wednesday, August 9, 1944, and is a dispatch by the Associated Press:

WASHINGTON, August 9.—Senator JOHN H. OVERTON made the third of a series of campaign addresses to his Louisiana constituents last night, asking reelection and reviewing flood-control work and rivers and harbors developments authorized by Congress during the 12 years he has been in the Senate.

"If I were to leave the Senate, who from Louisiana would be able to continue where I left off?" OVERTON asked in a speech for radio broadcast in his native State. "Who would be chairman of the Flood Control and Rivers and Harbors Committees?"

OVERTON said that the general plan of flood control on the Mississippi "has been authorized and is being executed. It remains, however, for necessary appropriations to be made annually by Congress to complete and keep in shipshape this great engineering work," he added.

"Fortunately, I am in a position to get these appropriations," he said. "I am a member of the Appropriations Committee of the Senate and the ranking majority member of the War Department Appropriations Subcommittee, which recommends all allocations to be made for flood control and river and harbor work."

FLOOD-CONTROL WORK

OVERTON said that Congress had appropriated \$19,000,000 for the fiscal year 1944 and \$26,000,000 for fiscal 1945 for flood-control work on the lower Mississippi Valley, but that "only a token payment of \$100" has been allotted for "all flood-control work outside of the Mississippi Valley."

In the light of all that, Mr. President, it seems to me that I can be excused if I was a little skeptical by that time as to the intention of the Senator from Louisiana to give fair hearings to the St. Lawrence project. One of the dispatches was dated August 2, about the time when we were going to hold hearings. The Senator from Louisiana pledged himself time and again, to his constituents, to defeat the St. Lawrence project. In the full-page advertisement it is said—

In offering for reelection, Senator OVERTON stated, "My platform will be the record of my service and the promise that such a record holds in the future. Upon that platform I submit my candidacy to all the people and all the factions of Louisiana."

Mr. President, it seems to me that anyone would have been justified in being skeptical. I do not mind his expressions as much as I do his going home to Louisiana and bragging about it. It seems to me that is adding insult to injury, to say the least.

As to the hearings which are now being held, after the committee has had the bill for 14 months, let me say that in the first place I attempted to have the bill referred to the Committee on Foreign Relations, but I could not succeed in having that done. However, now, after the Commerce Committee has held the bill for 14 months, it suddenly challenges its own right to the bill of which it has held possession all the time. It announced that it will hold a hearing to determine whether the President's message and the contract between the United States and Canada should have been submitted to the Senate as a treaty or as an agreement.

It appeared to me, Mr. President, that the chairman of the committee was challenging the State Department. Nothing was to be said at the hearing on the merits of the St. Lawrence seaway itself, but simply on the method which the President could use to get the contract approved. The Senator from Louisiana did write me a letter announcing that the hearing would be held. He said witnesses would be restricted to authorities on constitutional law. The State Department will have one, I understand, and I understand that the public utility companies also have a witness waiting to testify. The Senator told me the committee would be glad to have any statement I would like to make. I do not pose as an expert in any degree on constitutional law. I did not see anything to be gained by entering into the dispute between the Commerce Committee and the State Department. Furthermore, I did not see anything to be gained by my appearance before the committee; I felt that any appearance before the committee would be futile, inasmuch as a majority of the committee told the press they believed it should be a treaty, not an agreement, and they made that statement before they had heard a single word of testimony.

Mr. CLARK of Missouri. Mr. President—

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The Senator from Missouri.

Mr. OVERTON. Mr. President—

Mr. CLARK of Missouri. I yield to the Senator from Louisiana.

Mr. MURRAY. Mr. President, I have the floor.

Mr. CLARK of Missouri. Mr. President, the Senator from Montana lost the floor by sitting down for 14 minutes while the Senator from Vermont read a diatribe attacking the Senator from Louisiana. The Senator from Montana absolutely lost the floor by taking his seat and retaining it until he heard me get up and request recognition and, after being recognized, yield to the Senator from Louisiana. I maintain that the Senator from Montana lost the floor by sitting down while the Senator from Vermont read the diatribe attacking the Senator from Louisiana.

I am glad to yield—

Mr. MURRAY. Mr. President, let me make an explanation. The Senator from Louisiana desires to reply to the Senator from Vermont, and I had consented to have—

Mr. CLARK of Missouri. I do not need the consent of the Senator from Montana. I shall be glad to yield to the Senator from Louisiana, but I will not yield to the Senator from Montana.

Mr. MURRAY. If the Senator from Missouri is the dominant figure in that committee, I can understand how the kind of bill the Senator is now supporting has been brought from the committee.

Mr. CLARK of Missouri. I object to personal references by the Senator from Montana. I can take care of a matter of that kind in my own time.

Mr. MURRAY. The Senator from Missouri started the personal references.

Mr. CLARK of Missouri. I object very seriously, Mr. President, to having the Senator from Montana take the floor after he has lost it.

I shall be glad to yield to the Senator from Louisiana.

Mr. MURRAY. Mr. President, I desire to have a ruling from the Chair.

The PRESIDING OFFICER. The Chair will state that the situation is that the Senator from Montana had the floor and yielded to the Senator from Vermont, and then took his seat. The Chair did not know whether the Senator from Montana was yielding the floor.

Mr. MURRAY. No, Mr. President; I did not take my seat. I leaned against the seat for a few minutes.

Mr. CLARK of Missouri. Mr. President, that is the most ridiculous proposition I ever heard.

Mr. MURRAY. Mr. President, now I can understand the situation regarding the bill the Senator got from the committee.

Mr. CLARK of Missouri. I object to having the Senator speak out of order.

The PRESIDING OFFICER. The Chair will state that at the time when recognition was requested by the Senator from Missouri, the Chair thought he recognized that the Senator from Montana was occupying his seat. The Chair stated that the Senator from Missouri would be recognized as the next speaker. The Chair assumed that the Senator from Montana had yielded the floor.

The Chair now recognizes the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, assuming that it may be agreed that the Senator from Louisiana [Mr. OVERTON] may be recognized, since personal attack has been made on him, and since he is entitled to answer that attack, I ask unanimous consent that I may be permitted to yield the floor to the Senator from Louisiana so that he may answer the personal attack made on him by the Senator from Vermont.

Mr. OVERTON. Mr. President, if the Senator will yield to me, I will answer.

The PRESIDING OFFICER. If the Senator from Missouri yields the floor, the Chair will be glad to recognize the Senator from Louisiana.

Mr. CLARK of Missouri. No; I will not yield the floor. I will be glad to yield to the Senator from Louisiana.

Mr. OVERTON. Mr. President, if the Senator from Missouri will permit me, and without engaging in a debate as to who has or who has not the floor, I should like to make an inquiry of my friend, the Senator from Missouri.

Mr. HATCH. Mr. President, a parliamentary inquiry.

Mr. OVERTON. I was about to say—

The PRESIDING OFFICER. The Chair wishes to entertain the parliamentary inquiry. The Senator from New Mexico has asked to make a parliamentary inquiry. The Senator will state it.

Mr. OVERTON. The Chair has recognized the Senator from Missouri as having the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri as having the floor, but when the Senator from New Mexico [Mr. HATCH]

made a parliamentary inquiry the Chair wished to recognize him for that purpose.

Mr. HATCH. Mr. President, I withdraw my parliamentary inquiry. [Laughter.]

Mr. CLARK of Missouri. Mr. President, I yielded to the Senator from Louisiana in order that he might ask a question.

Mr. OVERTON. Mr. President, I should like to proceed without interruption.

I am somewhat surprised that any Member of this body should undertake to place me in a false light before the Members of the Senate and before the country, and that unpardonably he should do so without adhering to the facts. I have always undertaken to treat the Senator from Vermont, as well as other Senators, with proper respect. I hope I shall always be able to do so, and that I shall not be provoked into departing from what I believe to be the duty and high standard of a United States Senator.

It should be borne in mind that in either September or October of last year the Senator from Vermont [Mr. AIKEN] introduced a bill with reference to the St. Lawrence seaway. I am sure it was more than a year ago. No further effort was made with regard to it for quite some time.

I was notified by the Senator from North Carolina [Mr. BAILEY], who is chairman of the Senate Committee on Commerce, that I was to be appointed chairman of a subcommittee to handle the bill. When he requested me to act as chairman of the subcommittee I said to him, "I think it is only proper for me to say to you that I am opposed to the St. Lawrence seaway project." His answer was that he desired me, nevertheless, to proceed as chairman of the subcommittee and to conduct hearings in due course. I believe that conversation took place in January. I have heretofore given the exact dates on the floor of the Senate and they appear in the CONGRESSIONAL RECORD.

Immediately following my selection as chairman I asked whether any departmental reports had been received. I could have proceeded with the hearings at that time if the departmental reports had been filed. I was advised that no reports whatever had been submitted. Approximately each work week thereafter—my recollection has been confirmed by the deputy clerk of the Senate Committee on Commerce—I asked whether there had been any departmental reports submitted and I was advised that there had been none.

The situation continued until about April, when the Senator from Vermont [Mr. AIKEN] apparently awoke to the realization that he had introduced a bill undertaking to implement the arrangement which had been entered into between Canada and the United States. According to newspaper reports, he called upon His Excellency, the President of the United States. Also, according to newspaper reports, the President of the United States directed that all interested departments submit reports on the Aiken bill. Reports then began to come in. They came in pretty rapidly.

All the reports which had been requested up to that time were submitted by the latter part of April.

In the meantime, however, the House had passed the river and harbor bill. I was chairman of the Subcommittee on Rivers and Harbors, and the bill to which I have referred was placed in my lap to handle. As I have said, it was a House-passed bill. I felt that it was my duty to take up the bill which had been passed by the House. It dealt with a multitude of projects which, at least collectively, would be of infinitely more value to the United States than would be the St. Lawrence seaway project.

For the reasons which I have stated I promptly directed hearings to be held on the river and harbor bill. I gave notice on the floor of the Senate of hearings to be held. I also gave notice through the press so that anyone having an interest in the matter could appear before the subcommittee.

I invite attention of the Senator from North Carolina [Mr. BAILEY], as well as other members of the subcommittee, to the statement which I am about to make because I differ with the Senator from Vermont in the statement which he has made.

In the midst of holding hearings by the subcommittee having charge of the river and harbor legislation the Senator from Vermont and the senior Senator from Minnesota [Mr. SHIPSTEAD] appeared before the subcommittee handling the river and harbor bill, and expressed a desire to be given a hearing, not on any amendment which had been proposed by the Senator from Vermont to the river and harbor bill but stating that they desired a hearing on the separate bill dealing with the St. Lawrence seaway project.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. OVERTON. I refuse to yield because the Senator from Vermont refused to yield to me. Otherwise I should be glad to yield to him.

Mr. CLARK of Missouri. Mr. President, I have the floor. If the Senator from Louisiana wishes to reply to the Senator from Vermont I shall be glad to yield.

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. CLARK of Missouri. I do not yield to any Member unless the Senator from Louisiana is willing to be interrupted.

Mr. OVERTON. I do not wish to be interrupted.

Mr. MURRAY. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. MURRAY. The Senator from Missouri has lost the floor because he has been leaning on his desk for the last 15 minutes. [Laughter.]

Mr. CLARK of Missouri. Mr. President, I have been standing right here.

Mr. MURRAY. Mr. President, I invite attention to the fact that the Senator from Missouri was leaning against his desk.

Mr. CLARK of Missouri. I did not take my seat, and I understood the Senator from Louisiana desired to ask a question.

The PRESIDING OFFICER. The Senator from Missouri is standing, and he still retains the floor.

Mr. OVERTON. Mr. President, the request to which I have referred came to a subcommittee which had nothing to do with the Aiken bill. The subcommittee was the Subcommittee on Rivers and Harbors. Another subcommittee had been appointed to handle the Aiken bill.

The chairman of the Commerce Committee, the Senator from North Carolina [Mr. BAILEY], advised the Senator from Vermont [Mr. AIKEN] and the Senator from Minnesota [Mr. SHIPSTEAD] that the Rivers and Harbors Subcommittee had no jurisdiction over the Aiken bill, and that hearings would have to be conducted by the subcommittee which had been appointed to conduct such hearings. Thereupon the Senator from Vermont [Mr. AIKEN] very naively remarked that the chairman of both subcommittees was one and the same person, namely, my humble self. I replied that that was the only relationship existing between the two subcommittees. Mr. President, the Senator from Vermont did not ask me to do so, but if he had asked that I adjourn the hearings on the river and harbor bill and proceed with hearings on the St. Lawrence seaway bill I should have refused to do so. He said he could present his matter in an hour, which was doubtful, but at the same time there were countless other persons who were interested in the St. Lawrence project, either for or against it, who wished to be heard. When hearings are held on the merits of the bill they will probably last for quite a number of days.

Mr. CLARK of Missouri. The Senator will recall that in 1934 the very same proposition was presented as a treaty, coming from the Committee on Foreign Relations, was debated for 8 weeks in this Chamber, and was afterwards defeated by a vote of the Senate. This is merely an attempt, in my opinion, a very cheap attempt to do by indirection what could not be done by direction, to put it in as a measure which could be voted on by the Committee on Commerce, and would not require the vote necessary for ratification of a treaty, which was required when it was last presented in the Senate.

Mr. OVERTON. I thank the Senator for his observation. The Senator from Vermont has made the statement that I repeatedly made promises of hearings. I said nothing to him in conversation about conducting hearings on the St. Lawrence seaway, which I did not say here upon the floor of the Senate. He brought the matter up on one or two occasions, and I stated exactly what I was going to do, and it is to be found in the RECORD, that when I got through with the river and harbor and flood control bills I would take up the St. Lawrence bill. I did not go further than that, and could not go further than that.

The Senator has stated this afternoon that I was involved in a primary election, and therefore I went home to look

after my candidacy. That is true. Then he said he expected me immediately after the primary election to return to Washington to conduct hearings on the St. Lawrence seaway. My primary was on September 12. There would have been no chance on God's green earth to assemble the members of the subcommittee here during the recess of the Congress, and on the eve of the general national election. No quorum could be obtained until after the general election had been held, and everyone knows that.

Mr. President, I returned to Washington before November 14, and I came back here for the purpose of initiating hearings on the St. Lawrence seaway, as well as for other purposes. I proceeded to it very promptly, when I thought I could get a quorum of the subcommittee, and later on a quorum of the full committee. I did it, I repeat, very promptly, even before Congress has reconvened, and gave notice that on last Monday the hearings would begin.

Mr. President, I think those who know me and have a just regard for me would not think that I had made any statement, in any campaign or otherwise, that I would take advantage of any trust imposed in me by the Congress of the United States. If there be those who, through enmity, do not entertain such a regard for me, I do not care what they think about me.

The only statements I made in my campaign concerning the St. Lawrence seaway and in reference to flood control are contained in my own broadcasts. I did state, as everyone knows, that I was opposed to the St. Lawrence seaway. I so stated to the chairman when he appointed me chairman of the subcommittee. I made a fight against it here in 1934.

I never made the statement at any time that I had been delaying hearings on the St. Lawrence seaway in order to defeat it. I said that I was opposed to it, and that I would do what I could toward defeating it. I have a right to an opinion. The fact that I am chairman of a subcommittee does not deprive me of my right to an opinion. Chairmen of full committees and chairmen of subcommittees are constantly expressing their opinions, and I have as much right to an opinion as has the author of the bill as to the merits or demerits of the St. Lawrence seaway.

Two days before the primary election, which occurred on September 12, there were some very enthusiastic friends of mine—and I appreciate their warm friendship—who did insert in the Times-Picayune a full-page advertisement, the Times-Picayune being a paper published in the city of New Orleans. The advertisement was entitled "Congress in Action," a beautiful headline, and it contained very laudatory comments about me. I was not the author of these eulogies. It was prepared by friends of mine, and I really do not know, outside of one or two whom I have since found out about, who were instrumental in getting up this full-page advertisement and inserting it in the Times-Picayune in reference to my candidacy.

The statements made by my overenthusiastic friends in order to get the votes of the people of the city of New Orleans in behalf of my candidacy, that I was going to do everything I could as chairman of the subcommittee to prevent hearings on the St. Lawrence seaway, that I proposed to defeat it, and whatever they did say, as has been read by the Senator from Vermont, were gross exaggerations, that is all.

What I said in my campaign in reference to the St. Lawrence seaway is all down in writing, because I made no campaign speeches except those that were made in State-wide broadcasts and, as usual, as is necessary, in fact, in order to make radio broadcasts, one's speech must be reduced to writing, and mine were all reduced to writing, and reproductions of them can be obtained at Station KWKH in Shreveport, out of which they originated and from which they were carried throughout the State of Louisiana. They could be reproduced in my own voice or the manuscripts I forwarded them can be presented to the Senator from Vermont or anybody else who has the curiosity to read them.

Mr. President, I wish to emphasize that I did not at any time make any statement that I was going to take advantage of my position as chairman of the subcommittee to thwart consideration of the St. Lawrence seaway. I propose to fight it; certainly I do. I am going to fight it in subcommittee, in full committee, and on the floor of the Senate, and I have a right to do that.

In reference to flood-control appropriations, I did make the statement that the Congress had appropriated some fifteen to twenty million dollars last year for flood control on the lower Mississippi, and so many millions the year before, and all during the war period. But it made those appropriations on recommendations made by the Bureau of the Budget. The appropriations were carried in the bill as it passed the House, and it came to the Senate without any controversy in the Senate Committee on Appropriations. Likewise, under Budget recommendations, there was a nominal sum, a token appropriation, of \$100, made for flood control generally throughout the United States. That was done, not by any Senate amendment, not by any action of mine, but it was done in the House of Representatives, and was incorporated in the bill as it passed the House and came to the Senate without any controversy in the Senate whatsoever, and I had nothing whatsoever to do about the appropriation.

Mr. CLARK of Missouri. Mr. President, before the Senator takes his seat, I should like to call his attention to the fact that I did not yield to him for a speech, but for a question, and I presume he has been leading up to the question. I hope before he takes his seat he will conform to the Senate's practice by asking me the question.

Mr. OVERTON. Indeed I will ask the Senator a question. I should like to know whether he is enjoying the best of health. I hope he is.

Mr. CLARK of Missouri. I certainly am.

Mr. OVERTON. Mr. President, if any fault is to be found about delay in the consideration of the St. Lawrence seaway, that fault is to be laid on shoulders other than mine. I think it was in 1941—I do not remember exactly—when the President sent the St. Lawrence agreement to the Congress. The Senate of the United States did nothing about it. There was none so poor in the Senate as to do it reverence by the introduction of a bill implementing it. It was an administration measure and it was sent to Congress as such.

Lo and behold, suddenly there was an awakening on the part of one Senator. It did not come from the Democratic side of the aisle, but from over on the other side of the aisle. The Senator from Vermont [Mr. AIKEN], a Republican, offered the bill to implement the administration-conceived compact between Canada and the United States. When he offered it he let it lie there. Is he blaming me because I did not offer a bill implementing it when I was opposed to it? But after he offered the bill he let it lie until after the department reports came in, and I took up the bill to examine it. It was pulled out of a pigeonhole. It was all covered with dust; cobwebs were all over it. It was a musty old bill that had lain there neglected by its own father.

But now suddenly there is a great revival of interest on the part of the Senator from Vermont, a tremendous urge to get this bill through, so much so that he wants Rivers and Harbors Committee meetings to be stopped. He wants the river and harbor bill to be thrown out of the window. He wants flood-control hearings to be stopped in order that his own bill, which had lain so long neglected by him, by the President of the United States, and by all of the Government departments, can be brought to the Senate floor and shot through the Congress. He is now like a hen with one chick, tremendously interested in his one bill, and I say that without any reflection at all upon him, but simply to give emphasis to his suddenly awakened maternal interest in his long-neglected chick.

Very well; I will go along as quickly as it is humanly possible to consider the St. Lawrence seaway bill. When I say humanly possible I must respond to my other responsibilities in the Senate, and I want to get rid of the river and harbor bill, and I want to get rid of the flood-control bill before there is any report to be made on the St. Lawrence seaway. That is my view of it.

Mr. CLARK of Missouri. Mr. President, I wish to make a statement. Excuse me, I thought the Senator had concluded.

Mr. OVERTON. Yes; but I should like to proceed for a moment if the Senator will permit.

Mr. CLARK of Missouri. Yes; I will be glad to.

Mr. OVERTON. On the question of fact arising between the Senator from Vermont and myself I wish to ask the Senator from North Carolina whether my statement as to what occurred is or is not correct.

Mr. CLARK of Missouri. I shall be glad to yield to the Senator from North Carolina for a question.

Mr. BAILEY. The statement which the Senator from Louisiana has made with reference to the appearance of the Senator from Vermont and the Senator from Minnesota [Mr. SHIPSTEAD] before the Subcommittee on Rivers and Harbors is absolutely correct. I was there and participated in giving the information which was necessary. They had asked us to consider the St. Lawrence seaway proposition, now known as the Aiken bill, while we were considering the river and harbor bill as it come over from the House. The St. Lawrence seaway bill was an entirely separate bill. It was not offered as an amendment. Meantime the subcommittee on the St. Lawrence seaway bill, that is, the Aiken bill, had been appointed. So the Senators were informed that our subcommittee then sitting, that is, the Subcommittee on Rivers and Harbors of the Commerce Committee, had no jurisdiction. I thought that settled it. I did not have the slightest impression that anyone was offended. I thought the two Senators, when apprised of the situation, were perfectly satisfied.

Now it seems that the matter of delay has been brought up here. There has been delay in connection with the consideration of the St. Lawrence seaway, but the delay is not due to the Committee on Commerce nor is it due to the subcommittee of the Committee on Commerce. I think it may be well for me to state that there is a fixed rule in the Committee on Commerce. I do not have to apply the rule every time a bill comes up, but the clerk is instructed that whenever any bill comes up with which any department of the Government has to do, the bill is at once sent to that department of government for its advice. We never bring a bill to the floor and never bring a bill before the committee until we have heard from the department concerned. That rule was followed in this case. But it happened to be that a great many departments were interested in the matter. I must say I do not know how many such departments there were.

This procedure was followed: I think about 2 weeks or 10 days after the bill came to the committee it was sent to the Department of State. We asked for the advices of the Secretary of State. I think we received some advices about 7 months later. I think the request was made in September, and the advices came in April. But in that matter I am going by the record which was printed by the Senator from Louisiana. It happened, however, that there were other departments—the War Department, the Navy Department, and the Department of Commerce, and I think even other departments—I will not undertake to say how many—which were interested in the subject. They took their time, and I had to write the second time to several of them and tell them we would like to have their views.

Mr. President, it may be news to some, but in the Commerce Committee I proceed on the thoroughgoing understanding that this is a Government of co-

ordinated powers. When we receive a bill we send it to the department concerned in order to coordinate. I believe I can also say that since the day when I succeeded Senator Copeland, my late lamented friend, as chairman of the committee—and that was in 1938, or a little more than 6 years ago—there never has been a bill delayed in the Commerce Committee. Such a thing as pigeonholing a bill never occurred to me. If I do not like a bill I consider it my duty to have the committee pass on it. I believe we keep current, certainly within 30 days of winding up the calendar at all times. The idea that any subcommittee chairman or the chairman of the committee could suppress a bill there is totally abhorrent to me. The bills are brought out. They are referred to subcommittees. We have standing subcommittees. If a subcommittee does not report within 30 days, I request to know why. So there has been nothing whatever to justify the insinuation made here or the suspicions which have been uttered.

I wish to say another word. I requested the Senator from Louisiana [Mr. OVERTON] to serve as chairman of the committee on the St. Lawrence seaway. I had theretofore requested him to serve as chairman of the Subcommittee on Rivers and Harbors and also as chairman of the Subcommittee on Flood Control. That was considerable responsibility to repose in one man, but I did not do it to compliment him. I did not do it out of any sense of favoritism, either. I did so because I consider him one of the most elevated men I have ever known. Furthermore, he is a very excellent lawyer; and, in addition, ever since he has been in the Senate he has made a specialty of river and harbor, flood control, and seaway matters.

I did it also because I have never known a more diligent worker than the Senator from Louisiana. I really felt ashamed of myself last summer. I saw him conducting hearings day after day through the hot weather. He suggested to me that he intended to call the committee together in September to consider the St. Lawrence seaway, and he undertook to do so. We agreed on the date, which was to be about the 20th of September, but that was during the recess. I could not be present, and other Senators could not be present. We all know that the campaign was approaching. We all felt the need of rest. That is the summary. There has been absolutely no delay, and no intention to suppress anything. No one can find the slightest evidence of any delay on the part of the Senator from Louisiana. Such delay as we have had has been delay in receiving reports from the departments. Certainly I do not wish to bring a bill before the Senate and then apologize for not having the views of the departments most concerned.

I should like to say something further about the Senator from Louisiana. I read these campaign statements for the first time after the distinguished Senator from Vermont brought them forward. In the first place, we may say generally that anyone who takes campaign politi-

cal advertisements seriously is in need of a guardian. I thought that was well understood in America.

However, I am willing to underwrite those statements. The Senator from Louisiana deserves the confidence of his fellow Senators, the praise of his constituents, and the gratitude of his country for his enormous and indefatigable labors. I deeply regret that he should be made the subject of an attack here. In June he received from the Democratic side of the Senate—I can understand why our friends across the aisle are under some inhibitions in a campaign—one of the greatest tributes of which I have ever known. I believe it has no parallel in the history of the Senate. He announced that he did not intend to run for the Senate again, and when he did so, 43 Senators signed a petition addressed to him urging him to run and saying that we needed him in the Senate. I do not think the petition was circulated across the aisle, not because members of the opposition party would not have been willing to sign it, but because it is a very difficult thing to ask. I think it would be improper to ask a member of the Republican Party to support a Democrat, even in Louisiana, where we know that the nomination amounts to an election. If the petition had been circulated throughout the Senate, I believe that it would have received 80 or 90, or perhaps even 95 signatures.

There he stands. He has lived and worked with us all these years. He has worked alongside me in the Committee on Commerce day after day and year after year. I wish to say to him that he should not be disturbed. The foundations of our respect and confidence are not to be taken away by the pride of a rooster, or even an old hen carrying around a little chicken.

I like to think sometimes about the deeper things. Men do build their characters and their lives on the rock, and the storms may come and the winds may blow, but the house stands. Let me say to the Senator from Louisiana that the house of his character and the house of the high esteem in which he lives by our assent, will stand the tornadoes and hurricanes. He need not be troubled at the little superficial criticisms and quarrels which blow around the great rock. They are but fleeting breaths of the moment.

The great winds blow across the world. Today we breathe air which 3 days ago was in the South Pacific. Tomorrow we shall breathe air which crossed the Sahara Desert 4 days ago; and another day we shall be breathing air which comes from the Arctic. The great winds and hurricanes may come, and we may have local tornadoes; but it would require something more than the breath of suspicion, or the attack of a momentary and personal impatience, even to make the Senator from Louisiana aware that a breeze was stirring.

Mr. CLARK of Missouri. Mr. President, the illuminative questions asked me by the Senator from Louisiana and the Senator from North Carolina, which really do not require an answer, obviate

the necessity of any statement on my part.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I shall be glad to yield the floor as soon as I yield to the Senator from Colorado, although I realize that I yield the floor when I yield to him.

Mr. MILLIKIN. I should like to ask the distinguished Senator to yield to me for the purpose of submitting a non-controversial amendment.

Mr. CLARK of Missouri. I am glad to yield for that purpose, and then I shall be glad to yield the floor.

Mr. MILLIKIN. On behalf of the distinguished senior Senator from Colorado [Mr. JOHNSON] and myself, I offer an amendment which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 16, at the end of line 20, it is proposed to change the period to a colon and add the following: "Provided, That the project may be modified to include storage in reservoirs upstream from Trinidad if the Secretary of War and the Chief of Engineers find such action advisable for flood control and in order to make more water readily available for agricultural and industrial uses without impairment of flood control for Trinidad."

Mr. MILLIKIN. Mr. President, the engineers have made a study—

Mr. OVERTON. Mr. President, is the Senator now offering that amendment?

Mr. MILLIKIN. I am offering it now because I understand that there will be no objection to it, and I wished to get it behind us.

Mr. OVERTON. There is an amendment ripe for action, namely, the committee amendment on page 4, after line 13. Has that amendment been acted upon?

The PRESIDING OFFICER. The Chair advises the Senator from Louisiana that that amendment is pending at this time.

Mr. OVERTON. I believe that all discussion is completed in reference to that amendment, and that all the Chair would need to do would be to put the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered on behalf of the committee, on page 4 after line 13.

The amendment was agreed to.

Mr. MILLIKIN. Mr. President, we have had a bad flood condition at Trinidad, and the engineers have devised what they think are preventive measures, which are largely confined to the city of Trinidad. When further studies are made it may seem advisable to build a dam or two which might also have irrigation significance upstream from Trinidad. As I understand, the amendment which I have offered would not increase the cost. It has the approval of the engineers, and I understand that the distinguished senior Senator from Louisiana will consent to the amendment.

Mr. OVERTON. Has the Senator a copy of the amendment? I have not had an opportunity to read it. Perhaps it

would be better to have the amendment go over.

Mr. MILLIKIN. Very well.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. AIKEN. Mr. President, I had not intended to say anything further in reply to the Senator from Louisiana [Mr. OVERTON] and the Senator from North Carolina [Mr. BAILEY]. I did not understand that they said anything which refuted what I read. I read quotations from statements or addresses by the Senator from Louisiana himself.

However, in respect to one matter which was brought up, the Senator from Louisiana disagreed with me. That was the statement I have made, that I had asked for some time—an hour—before the Committee on Commerce for the purpose of offering the St. Lawrence seaway measure as an amendment to the river and harbor bill. The Senator from Louisiana disagrees with me, and he says I made no statement as to that. If the Senator from Minnesota were present, he would agree with me that we appeared before the committee for the purpose of getting our request on the official record. The official reporter took it down, because several persons watched him take it down. Yet, when the report of the hearings came out, the statements I had made were not in the hearings. I think the only way to settle the question as to whether the Senator from Louisiana is right or whether I am right—and I think I am—would be to get the original notes of the reporter and have the exact statement printed in the RECORD, where all of us could see it.

One other thing which I would suggest is that the Senator from North Carolina submit to us, for the RECORD, the request he made of the various departments for report on the St. Lawrence bill, so that all of us may learn on what dates the requests were made. I realize that some of them came in late. But I realize that in April it was announced that all the reports were in, and 2 or 3 months later it was announced that there were some yet to come in. I wonder whether some of the requests were made after the others were made.

Mr. BAILEY. Mr. President, I think that may be true. We did not know how many departments were interested at first, and I am not prepared to say to just what departments we wrote. On the whole matter, the usual routine was followed. The bill came in. When a bill comes in, the clerk sends it to the department which we think is concerned. But if, later on, another department expresses a desire to be heard, we write to that department. No one is denied an opportunity to be heard. But I cannot tell when a bill first comes to the committee how many departments will desire to come before the committee regarding it.

My impression is that the Navy Department and the War Department were belated in letting us know they were interested. My impression was that the only departments interested were the Commerce Department and the State

Department—the Secretary of State. But I would not be able to say how many departments answered.

However, if the Senator wishes to go to the committee room and see the record, he will be welcome to do so.

Mr. AIKEN. In view of the Senator's statement that the requests very likely were made from time to time of the various departments, I withdraw any request I made that the letters be presented.

Mr. BURTON. Mr. President, I call up a noncontroversial amendment relating to Leatherwood Creek, Ohio.

The PRESIDING OFFICER. The amendment will be stated.

Mr. BURTON. As I have said, Mr. President, there is nothing controversial about the amendment.

The CHIEF CLERK. On page 38, between lines 11 and 12, it is proposed to insert the following:

Leatherwood Creek, Ohio, with particular reference to flood control and water supply for Cambridge, Ohio.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio. The amendment was agreed to.

EXECUTIVE SESSION

Mr. OVERTON. Mr. President, it is apparent that we can accomplish very little more, if anything, this evening; and the hour is now late. Therefore I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HILL in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the appropriate committee.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Sundry officers for appointment and/or promotion for temporary service in the Navy and the Naval Reserve.

By Mr. CHANDLER, from the Committee on Military Affairs:

Sundry officers for temporary appointment in the Army of the United States, under the provisions of law.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

FOREIGN SERVICE

The legislative clerk read the nomination of Jefferson Caffery, of Louisiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Waldo E. Bailey, of Mississippi, to be Foreign Service officer of class 7,

a secretary in the Diplomatic Service, and a consul of the United States of America.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DISTRICT OF COLUMBIA—NOMINATION PASSED OVER

The legislative clerk read the nomination of Guy Mason, of the District of Columbia, to be Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

Mr. WHITE. Mr. President, I have no personal objection to the confirmation of the nomination, but at the instance of another Member of the Senate I am obliged to ask that the nomination go over.

The PRESIDING OFFICER. The nomination will be passed over.

DEPARTMENT OF THE INTERIOR, REGISTER OF LAND OFFICE—NOMINATION PASSED OVER

The legislative clerk read the nomination of Richard McElligott of Roseburg, Oreg., to be register of the land office.

Mr. HATCH. Mr. President, in view of the fact that the senior Senator from Oregon [Mr. HOLMAN] was not present when the nomination was considered in the committee, and the fact that I understand he will be present when the Senate meets next week, I ask that the nomination be passed over.

The PRESIDING OFFICER. The nomination will be passed over.

That completes the calendar.

Mr. OVERTON. I ask unanimous consent that the President be immediately notified of the confirmation of the nominations acted upon today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all nominations confirmed today.

RECESS TO MONDAY

Mr. OVERTON. As in legislative session, I move that the Senate take a recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 36 minutes p. m.) the Senate took a recess until Monday, November 27, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, November 24 (legislative day of November 21), 1944:

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Myrtle Cunningham, Calion, Ark. Office became Presidential July 1, 1943.

Howard E. Powell, Gurdon, Ark., in place of I. A. Blakely, resigned.

HAWAII

Arthur Chong Kong, Halaula, T. H. Office became Presidential July 1, 1943.

IDAHO

Verna Uletta Olson, Fruitland, Idaho, in place of L. R. Hollenbeck, retired.

INDIANA

Bessie Boston, Lewis, Ind. Office became Presidential July 1, 1944.

MAINE

Pearl S. Robinson, Chebeague Island, Maine. Office became Presidential July 1, 1944.

MARYLAND

Gilbert F. Murphy, Laurel, Md., in place of E. H. S. Boss, resigned.

MICHIGAN

M. Adele Zinger, Ruth, Mich., in place of A. C. Cook, resigned.

MINNESOTA

Earl L. LaPorte, Pillager, Minn., in place of C. E. McNair, resigned.

MISSOURI

Opal B. McCann, Cooter, Mo. Office became Presidential July 1, 1943.

Edward R. Sinnott, Edina, Mo., in place of Charles Shumate, retired.

Maude M. Fleming, Graham, Mo. Office became Presidential July 1, 1944.

MONTANA

Oscar L. Henry, Belfry, Mont. Office became Presidential July 1, 1943.

NEW JERSEY

Peter Klapmuts, Oak Ridge, N. J. Office became Presidential July 1, 1944.

NEW YORK

Thomas J. Tighe, Jr., Amsterdam, N. Y., in place of W. A. Gardner, deceased.

John A. Bush, Hartwick, N. Y., in place of C. O. Weidman, deceased.

Frances A. Kinney, Locke, N. Y., in place of G. S. Mackey, transferred.

Helen M. Cronk, Staatsburg, N. Y., in place of J. J. Finan, removed.

PENNSYLVANIA

Howard C. Philson, Berlin, Pa., in place of E. B. Walker, deceased.

Frederick E. Riegner, Garrett Hill, Pa. Office became Presidential July 1, 1944.

Anna C. O'Mara, Laceyville, Pa., in place of J. J. O'Mara, deceased.

Joseph T. Qualters, McKeesport, Pa., in place of Alexander Rankin, deceased.

Birtus B. McDowell, Mineral Springs, Pa. Office became Presidential July 1, 1944.

SOUTH CAROLINA

Robert R. Du Rant, Jr., Manning, S. C., in place of J. S. Bagnal, transferred.

TEXAS

Ruth Finley, Aquilla, Tex. Office became Presidential July 1, 1944.

Catherine H. Bannister, Old Ocean, Tex. Office became Presidential October 1, 1944.

Jesse M. Robbins, Raymondville, Tex., in place of L. O. Robbins, resigned.

Nelson G. Hargett, Weslaco, Tex., in place of Clifton Davenport, resigned.

WISCONSIN

Leona R. Johnson, Danbury, Wis., in place of L. R. Baker, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 24 (legislative day of November 21), 1944:

FOREIGN SERVICE

Jefferson Caffery to be Ambassador Extraordinary and Plenipotentiary of the United States of America to France.

Waldo E. Bailey to be Foreign Service officer of class 7, a secretary in the Diplomatic Service, and a consul of the United States of America.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 28, 1944, for actions of Monday, November 27, 1944)

(For staff of the Department only)

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SENATE

1. FLOOD CONTROL. Continued debate on H. R. 4485, the flood-control bill (pp. 8541-53).
Rejected the committee amendments establishing a Missouri River Commission to plan, construct, operate, and maintain flood-control and navigation improvements on the Missouri River (pp. 8543-6), and giving the War Department control over private dams, etc. (pp. 8546-51).
Agreed to amendments by Sen. Milliken, Colo., to permit the Trinidad project to be modified to include storage in upstream reservoirs (p. 8552).
Sen. Maybank, S. C., inserted a letter which he received from REA discussing the probable effects of Sen. Bailey's amendment to Sec. 5 (pp. 8539-40).
During the Nov. 24 debate on this bill the Senate agreed to the amendment authorizing the Secretary of the Interior to dispose of surplus electric energy, in the form in which the amendment was originally reported to the Senate (p. 8502). (Digest 162 inadvertently stated that the committee amendment was rejected.)
2. SECRETARY OF STATE, NOMINATION. Received the President's nomination of Edward R. Stettinius to be Secretary of State (pp. 8560, 8571).
3. ADMINISTRATIVE LAW. Sen. Maloney, Conn., inserted a Hartford Chamber of Commerce resolution favoring H. R. 5081 and S. 2030, administrative-law bills (pp. 8537-8).
4. VETERANS' REEMPLOYMENT. Military Affairs Committee reported with amendments H. R. 5386, to amend the Selective Training and Service Act so as to extend the time within which application may be made for reemployment. (S. Rept. 1196, p. 8538).
5. GARNISHMENT, ETC. D. C. Committee reported without amendment H. R. 2116, to amend the D. C. laws relating to exemption of property from judicial process, the assignment of salary or wages, and the advance payment of salary or wages for the purpose of preventing attachment or garnishment (S. Rept. 1199, p. 8538).
6. GOVERNMENT RESTAURANTS. D. C. Committee reported without amendment H. R. 4867, to extend the health regulations of D. C. to Government restaurants in D. C. (S. Rept. 1206, p. 8538).

HOUSE

7. SUPPLEMENTAL APPROPRIATIONS. The following are among the estimates which have been received and referred to the Appropriations Committee:
Civil Service Commission, \$3,069,500 (H. Doc. 775, Nov. 20).
War housing, NHA, \$20,000,000 (H. Doc. 776, Nov. 20).
Contribution by State Department to Inter-American Institute of Agricultural Sciences, \$90,087,97 (H. Doc. 777, Nov. 21).
Program of cultural relations with China and neighboring countries, Near East, and Africa, by the State Department in cooperation with other Government agencies, \$600,000 (H. Doc. 760, Nov. 14).
8. FORESTRY. On objections by Reps. Priest, Madden, and Price, H. R. 2241, to abolish the Jackson Hole National Monument and restore the area to the Teton National Forest, was stricken from the Consent Calendar (p. 8576).
9. LAND ACQUISITION. At the request of Rep. Cole, N. Y., passed over S. 919, to expedite the payment for land acquired during the war period (p. 8576).
10. A.A.A. GRANTS-IN-AID. At the request of Rep. Kean, N. J., passed over H. R. 3405, to regulate the distribution of fertilizers, feeds, nursery stock, and seeds by U. S. agencies (p. 8576).
11. ALIEN EMPLOYMENT. At the request of Rep. Kean, N. J., passed over H. R. 2908, to amend Public Law 537, 77th Cong., so as to permit payment to aliens employed in good faith as to citizenship status after the close of the fiscal year 1942 (p. 8576).
12. ASSISTANT SECRETARIES OF STATE. Passed with an amendment H. R. 4311, to provide for the appointment of two additional Assistant Secretaries of State "for the period of 2 years following cessation of hostilities" (p. 8576).
13. INSECT CONTROL. On objection of Rep. Kean, N. J., passed over H. R. 2542, for the relief of certain claimants who suffered losses and sustained damages as a result of the Mediterranean fruitfly eradication campaign (p. 8577).
14. UNDER SECRETARY OF WAR. Passed without amendment H. R. 5494, amending the law authorizing the appointment of an Under Secretary of War, by extending the appointment for the duration and 6 months thereafter (p. 8582).
The Senate Military Affairs Committee reported with amendments S. 2178, a similar bill (S. Rept. 1194) (p. 8538).
15. TAXATION. Rep. Patman, Tex., criticized the proposed Constitutional amendment that would "restrict the amount of taxes that Congress may cause to be levied and collected by the Federal Government" (pp. 8585-6).
16. SMALL BUSINESS. Banking and Currency Committee reported without amendment S. 2004, to increase the capital stock issue of the Smaller War Plants Corporation from \$150,000,000 to \$350,000,000 (H. Rept. 1939) (p. 8590).

COMMITTEE HEARINGS Released by G.P.O

17. POST-WAR PLANNING; SMALL BUSINESS. Pursuant to S. Res. 66, to provide for a study and survey of small business problems. Pts. 43 and 44, developing the West through Small Business. Senate Small Business Committee.

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 27 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

AMENDMENT

Intended to be proposed by Mr. CORDON to the bill (H. R. 4485), with amendments, as reported by the Committee on Commerce, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

- 1 On page 4, line 11, after the period insert the following:
- 2 “No use of any area to which this section applies shall be
- 3 permitted which is inconsistent with the laws for the protec-
- 4 tion of fish and game of the State in which such area is
- 5 situated.”

78TH CONGRESS
2d Session

H. R. 4485

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78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

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AMENDMENTS

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1 On page 3, line 11, after the words "Secretary of War,"
2 insert the following: "in cooperation with other Federal
3 agencies" followed by a comma.

4 On page 3, line 12, after the words "operate public
5 park" insert a comma and the word "conservation".

6 On page 3, line 15, after the period insert the following:
7 "All dams or other works authorized to be constructed by
8 this Act shall include suitable or necessary means and

1 measures, as approved by the Fish and Wildlife Service,
2 to prevent loss of and damage to fish or aquatics dependent
3 upon the waters affected by such dams or other works and
4 to carry out the purposes of the provisions of the Act
5 of March 10, 1934 (48 Stat. 401; 16 U. S. C., sec. 663).
6 The cost of planning for and the construction or installation
7 of any such means and measures shall be included in and
8 shall constitute an integral part of the costs of the dams or
9 other works and necessary investigations to carry out these
10 requirements shall be conducted by the Fish and Wildlife
11 Service in cooperation with the War Department. The Sec-
12 retary of War is authorized and directed to transfer to the
13 Department of the Interior, for the use of the Fish and Wild-
14 life Service, out of any appropriations hereafter made for
15 the purpose of carrying out the provisions of this Act or
16 any part thereof such funds as may be necessary to conduct
17 the required investigations. The reports and recommen-
18 dations submitted by the Secretary of the Interior resulting
19 from the surveys and investigations of the Fish and Wildlife
20 Service shall constitute a part of any and all engineering
21 survey reports and recommendations submitted to the Con-
22 gress or to any committee thereof by the Secretary of War."

AMENDMENTS

Intended to be proposed by Mr. Cordon to the bill (H. R. 4485) with amendments, as reported by the Committee on Commerce, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 27 (legislative day, NOVEMBER 21), 1944

Ordered to lie on the table and to be printed

FLOOD CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. CAPPER. Mr. President, I have received a telegram from R. T. Willette, manager, Kansas City, Kans., chamber of commerce, which sets forth the views of his group with regard to the pending measure, H. R. 4485. I ask unanimous consent to have the telegram printed in the CONGRESSIONAL RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KANSAS CITY, KANS.,
November 24, 1944.

HON. ARTHUR CAPPER,
United States Senator,
Washington, D. C.:

Board of directors of this chamber of commerce urges your support of H. R. 4485 which is in support of the Pick plan for conservation and flood control on the Missouri River and which as we understand it has now been amended and approved by the Commerce Committee of the Senate for passage. Would appreciate reply.

R. T. WILLETTE,
Manager, Kansas City, Kans.,
Chamber of Commerce.

Mr. CAPPER. Mr. President, I have also received a telegram from R. W. McClure, a leading businessman of Kansas, and president of the Kansas Electric Power Co., urging favorable consideration of an amendment to paragraph 5 of House bill 4485, and I ask that the telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

LAWRENCE, KANS., November 24, 1944.

HON. ARTHUR W. CAPPER,
Senate Office Building:

We feel that amendment to H. R. 4485, omnibus flood-control bill which amendment revises paragraph 5 of that bill and which was approved by the Senate Commerce Committee and is being introduced by Senator BAILEY is much more fair and equitable than present provisions in paragraph 5 of bill and urgently request your support for such amendment.

R. W. McCLURE,
President, The Kansas Electric Power Co.

The VICE PRESIDENT. The clerk will state the next amendment of the committee passed over.

The CHIEF CLERK. On page 5, line 13, after the word "Department", it is proposed to insert "Provided, That no sale of such water shall adversely affect then existing lawful uses of such water."

Mr. O'MAHONEY. Mr. President, I should like to have the amendment stated again.

The amendment was again stated.

Mr. WHITE. Mr. President, I inquire whose amendment this is?

The VICE PRESIDENT. It is a committee amendment.

Mr. OVERTON. Mr. President, this committee amendment, together with other committee amendments and certain other provisions of the bill, have been the subject matter of considerable discussion and interviews between the proponents of the so-called O'Mahoney

amendment and the committee and representatives of the committee. We have, I think, practically agreed upon a proper amendment which should apply to all matters in controversy, although there has not been a final agreement. I suggest that the amendment be passed over until we arrive at a final agreement.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

Mr. WHERRY. Mr. President, I could not hear what the Senator from Louisiana stated a few moments ago. I understood it was something about an agreement. Will he not restate what he said?

Mr. OVERTON. I stated that with respect to the particular amendment just read, and with regard to certain other amendments relating to the Missouri Valley Basin, an agreement had practically been entered into between the proponents of the O'Mahoney amendment and representatives of the committee. We have not yet quite perfected the arrangement, and I desire that this amendment and other amendments which relate to this subject matter be passed over for the present.

Mr. WHERRY. Mr. President, will the distinguished Senator yield for a question?

Mr. OVERTON. I yield.

Mr. WHERRY. Does the agreement the Senator just mentioned in any way affect the committee amendment which appears in lines 13 and 14 on page 5?

Mr. O'MAHONEY. Mr. President, I understand that amendment has just been adopted.

Mr. WHERRY. That is what I am inquiring about.

The VICE PRESIDENT. No; that amendment, at the request of the Senator from Louisiana, if there is no objection, will be passed over.

Mr. O'MAHONEY. I misunderstood the situation, Mr. President.

The VICE PRESIDENT. If there is no objection, the clerk will state the next amendment.

Mr. WHERRY. Mr. President, I should like to have the distinguished Senator from Louisiana answer my question as to whether or not the agreement that was made in any way affects the committee amendment in lines 13 and 14, on page 5?

Mr. OVERTON. In my opinion, it does.

Mr. WHERRY. Does the agreement in any way override the committee amendment which provides that no sale of such water shall adversely affect the uses of such water that are now provided by the different States in the Missouri Valley?

Mr. OVERTON. The agreement has not yet been entered into, but there is a very good prospect of it being entered into, and I desire to have consideration of this amendment and certain other amendments passed over in order to determine whether or not there can be an agreement.

Mr. WHERRY. Then it is proposed to pass over this amendment at this time?

Mr. OVERTON. It is proposed to pass over the amendment at this time.

Mr. WHERRY. I thank the Senator.

Mr. MURRAY. Mr. President, before we leave this amendment I should like to inquire of the Senator in charge of the bill whether or not the agreement about which he is talking, which is supposed to be in process of formulation, is the amendment proposed by the Senator from Wyoming [Mr. O'MAHONEY] and other Senators, known as the O'Mahoney amendment.

Mr. OVERTON. With modifications and alterations which have not as yet been agreed upon.

Mr. MURRAY. Then the printed amendment purporting to be the O'Mahoney amendment will not be the amendment subject to the agreement?

Mr. WHERRY. Mr. President, we on this side of the Chamber cannot hear what is going on. I should like to hear the remarks which are being made, because I should like to know something about the amendment, if it is still under consideration.

The VICE PRESIDENT. The amendment has been passed over.

Mr. WHERRY. Very well. In any event, however, we on this side of the Chamber would like to hear the discussion.

Mr. OVERTON. The question propounded to me by the Senator from Montana [Mr. MURRAY] was whether or not the last version of the O'Mahoney amendment as now printed represented the agreement which had been entered into, and I told him that it would be the basis of the agreement, but there were to be modifications and alterations which have not as yet been agreed upon.

Mr. WHERRY. I thank the Senator.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WHITE. The Senator refers to an agreement. An agreement between whom?

Mr. OVERTON. An agreement between the proponents of the amendment and myself and other representatives of the committee.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. I may say for the benefit of all those who have cooperated in the preparation of the amendment which has been designated as the O'Mahoney-Millikin amendment, that the purpose has at all times been to protect the historic and traditional rights of the people of the West to use the waters rising in the West in the manner which has been recognized by law and by court decision for almost 100 years. It is also the purpose of those who have been sponsoring this amendment to make certain that there shall be the largest possible opportunity for the public authorities of States interested to review plans which may seriously affect conditions within the States. It has been the belief of the distinguished Senator from Colorado [Mr. MILLIKIN] and myself and others who have been in repeated conference that this can be done. We believe that

our trouble is largely one of writing language which clearly conveys the thoughts which are in the minds of the distinguished chairman of the subcommittee in charge of the bill and ourselves.

There have been numerous conferences. There have been some minor changes of language. Each change has served, in my opinion, to bring us closer to an understanding; but I want all the Senators who represent what are commonly called the arid-land States to know that there has been no agreement which sacrifices the rights of the people of those States, and, so far as I am concerned, there will be no such agreement, and it is my understanding that the distinguished senior Senator from Louisiana is not asking us to make any such sacrifices.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. OVERTON. Yes.

Mr. AIKEN. Is it also the desire of the Senator from Louisiana that the paragraph referring to the Connecticut River Basin go over? Because if an agreement is reached on the O'Mahoney amendment, it probably would automatically take care of the Connecticut River controversy.

Mr. OVERTON. The Senator is correct. We desire that to go over.

Mr. AIKEN. And the committee amendment which provides "That none of the dams herein authorized for the Connecticut River Basin shall be utilized for generation of hydroelectric power" will go over?

Mr. OVERTON. All of the paragraph will go over. All of the O'Mahoney amendment will go over, and the committee amendment in reference to the Connecticut River Basin will go over.

Mr. AIKEN. I thank the Senator.

Mr. OVERTON. That will be my request, that it go over.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MURRAY. I should like to ask the distinguished Senator from Wyoming a question with reference to his proposed amendment. Am I to understand that this amendment, as it will be finally formulated, will iron out all the differences which have heretofore existed between the Bureau of Reclamation and the Army engineers with reference to the water rights of the upper States of the Missouri Valley?

Mr. O'MAHONEY. I am hoping that it will.

Mr. MURRAY. The Senator could not give us any absolute assurance?

Mr. O'MAHONEY. Of course, until there is an agreement I cannot give anyone an assurance as to what the contents of the agreement will be.

Mr. MURRAY. The Senator has found it very difficult in his efforts in the past to bring about this agreement to obtain any satisfactory response; is that not true?

Mr. O'MAHONEY. No; that is not true. As a matter of fact, I think we have had a very satisfactory response. The difficulty, as I said a moment ago, comes largely from the fact that Mem-

bers of the Senate are so extremely busy it is not always possible to get all those who are interested in a particular problem together at the same time, and therefore it becomes necessary to go over in detail any changes of language with all those who may be concerned. I want to assure the Senator that the whole matter will be completely and fully explained upon the floor before there is any conclusion reached.

Mr. MURRAY. Mr. President, I have received a number of telegrams from my State urging me to support the O'Mahoney amendment in the form it appeared several days ago. The senders of the telegrams want me to support the amendment in that form. Now, do I understand that the changes which will take place in the amendment will make it necessary for me to contact the people in Montana who have telegraphed to me about this matter?

Mr. O'MAHONEY. No; I am sure that no changes will be made which will make it necessary for the Senator from Montana to make contact with those persons, because they are interested, as I am interested, and as the Senator from Montana is interested, in maintaining the rights of individuals to use the water that arises within these States. That is the objective of the amendment, it has been its objective from the very beginning, it will continue to be its objective, and I am happy to say to the Senator from Montana that I am most encouraged by the most amicable and understanding attitude of the Senator from Louisiana.

Mr. MURRAY. If I may be permitted to say so, what struck me as rather strange was the fact that the telegrams which I have received from Montana had reference only to the O'Mahoney amendment. The senders gave no consideration whatever to the other features of the pending bill, among them the Bailey amendment, which struck me as being of very serious consequences to the Western States, because if that amendment were adopted—

Mr. O'MAHONEY. But it was not adopted. It was defeated, and the Senator from Montana and I were quite in agreement respecting it.

Mr. MURRAY. The point I am making is that the telegrams which I have received seem to devote attention to only one phase of the problem. It struck me that the most serious thing about this whole legislation is that it is designed—or it will be contended, at least, after it is passed, that it is designed—to obviate the necessity for a Missouri Valley Authority. If it had been adopted in its original form it would have hamstrung the entire West by turning over to the power interests control of the power which would be developed as a result of the program envisaged by the pending measure. It struck me as being very strange that those who have telegraphed me would overlook such a vitally important phase of the legislation and concentrate on one problem, namely that of the rights of the upper States. If we should have a Missouri Valley Authority there would be no question whatever about the upper States being protected. The President has so stated in his refer-

ences to the Missouri Valley Authority and to the T. V. A. It strikes me that the entire bill should go over until we have an opportunity carefully to analyze it. The bill has been hastily thrown together, and contains many projects which have not been properly engineered. I intend to discuss this matter later at some length, and point out the danger of passing this bill in its present form; but I wished to inquire at this time exactly what the status of the O'Mahoney amendments was. I understand that they have not as yet been agreed upon, and that those interested in the subject are working on them and expect to have them ready in the near future.

Mr. O'MAHONEY. That is correct.

The VICE PRESIDENT. The Clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 5, after line 24, it is proposed to strike out:

SEC. 6. Hereafter, whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations under existing reclamation law for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. Such rates, as the Secretary of the Interior may deem reasonable, shall be charged for the use of said storage; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts.

And insert:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and, within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing.

Mr. OVERTON. Mr. President, this amendment will be the subject of the O'Mahoney agreement, and I ask that it be passed over.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 10, line 5, after the word "site", it is proposed to insert "Provided further, That none of

the dams herein authorized for the Connecticut River Basin shall be used for the generation of hydroelectric power."

Mr. OVERTON. Mr. President, that amendment relates to the Connecticut River Basin, and should be passed over.

The VICE PRESIDENT. Without objection, the amendment will be passed over.

The clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 21, after line 2, it is proposed to insert:

In the interest of developing the natural resources of the Missouri River Basin there is hereby created a commission to be known as the Missouri River Commission, which shall be in the War Department and shall function in accordance with existing law under the direction of the Secretary of War and the supervision of the Chief of Engineers in planning, constructing, operating, and maintaining improvements for navigation and flood control in the Missouri River Basin. The Missouri River Commission shall consist of the same number of members with the same qualifications and methods of appointment, replacement, and removal as prescribed in the act approved June 28, 1879, for the Mississippi River Commission and the compensation for the members of the Missouri River Commission shall be the compensation presently provided for members of the Mississippi River Commission. The President of the Missouri River Commission shall have the same qualification and shall be designated in the manner prescribed by existing law for the President of the Mississippi River Commission and he shall have the same functions and perquisites, including title, pay, allowances, and rank while actually serving as President of the Missouri River Commission, as well as the same subsequent retirement privileges under the same conditions as prescribed by law for the President of the Mississippi River Commission.

Mr. MURRAY. Mr. President, I should like to have the Senator in charge of the bill explain the effect of this amendment.

Mr. OVERTON. Mr. President, this amendment was offered by the senior Senator from Missouri [Mr. CLARK], and agreed to by the committee. I regret that he is not present in the Chamber. I had requested him to make an explanation of the amendment when it arose. However, I believe I understand it. I think it speaks for itself.

The origin of this amendment lies in what is known as the Mississippi River Commission. The contention made by the Senator from Missouri during the course of the hearings before the committee was that not very much had been accomplished toward controlling the floods in the lower regions of the Mississippi River until a commission had been appointed, and that the Commission had done a very meritorious work. It was his thought that such a commission organized for the Missouri River Basin would do equally fine work and that it would be very helpful.

The Mississippi River Commission has no authority; nor would the Missouri River Commission contemplated by this amendment have any authority. They would be advisory boards or commissions. The Mississippi River Commission meets with the division engineer and considers plans, makes suggestions, recommends modifications, and even suggests radical

changes. Such recommendations are considered by the division engineer, and if approved by him, or not approved by him, he makes his report to the Board of Engineers for Rivers and Harbors, and the Board of Engineers for Rivers and Harbors then passes on the project.

Of course, as I have repeatedly stated, no project originates anywhere except in Congress. Congress must authorize a preliminary investigation and survey in order to initiate any project. Then it is considered by the district engineer, and goes to the division engineer. When it gets to the division engineer and the Mississippi River Commission, the Mississippi River Commission is supposed to advise the division engineer as to whether the proposed project is good or bad, or requires any changes or alterations. So its function is purely advisory.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. O'MAHONEY. In view of the fact that there has been introduced and is pending before the Committee on Agriculture and Forestry, for study by that committee and by the Committee on Irrigation, a proposal to establish a Missouri Valley Authority, a proposal which will undoubtedly attract the attention of practically all Members of this body, does not the Senator feel that it would be advisable to pass over this amendment altogether and not adopt it, because of the apparent conflict between the proposal to set up a Missouri Valley Commission and the proposal to establish a Missouri Valley Authority?

Mr. OVERTON. If I may interrupt the Senator, I believe that the apparent conflict is more superficial than real, because a Missouri Valley Authority would have authority. A Missouri River Commission would have no authority. It would be merely an advisory board. I do not believe that it would make any great difference whether such an agency were organized or not, except from this standpoint: Such bodies, as a rule, are composed of very able engineers, as well as civilians who are deeply interested. On the Mississippi River Commission there are three engineers and three civilians, and they are very helpful in the advice they give; but that is entirely different from an Authority. There is no relation whatsoever.

Mr. O'MAHONEY. If the Senator will bear with me, my point is that there is no essential conflict between this bill, as I envisage it—and as I think the Senator from Louisiana envisages it—and a Missouri Valley Authority. The mere fact that we authorize the Corps of Engineers and the Bureau of Reclamation to undertake post-war works of a character similar to those which have been constructed in the past by those agencies does not in any way whatsoever limit or change the power and jurisdiction of this Congress or of any future Congress to establish any type of new agency which it may deem desirable or in the public interest.

Mr. OVERTON. The Senator is absolutely correct in that respect. There is no difference between him and me in that regard.

Mr. O'MAHONEY. But when we have an amendment which provides for setting up a special kind of commission, even though it be only advisory, as the Senator has said, but is a new commission, and do that at a time when a substantial number of our colleagues are urging the creation of a valley authority, do we not thereby invite a controversy which we can very well eliminate? My feeling, Mr. President, is that we shall proceed much more rapidly in the consideration of this bill by eliminating the amendment altogether, rather than by attempting to adopt it.

Mr. OVERTON. Mr. President, far be it from me to take a position in opposition to what the committee has recommended be incorporated in the bill. I cannot very well do that.

I regret that the Senator from Missouri is not now in the Chamber. As soon as this matter came up, I asked one of the pages to notify him that the amendment was under consideration on the floor. I should like to have the Senator from Missouri present in the Chamber when it is considered. But I do not know where he is, and no one else seems to know.

Mr. President, I have made a full statement about the matter; I have stated the full reasons for it, and have stated what its effect would be.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. OVERTON. I yield for a question.

Mr. LANGER. In line 15, on page 21, provision is made for compensation for the members of the Missouri River Commission. Let me ask what the compensation is to be, as proposed at the present time?

Mr. OVERTON. Seven thousand five hundred dollars per annum.

Mr. LANGER. How many members are there to be on the Commission?

Mr. OVERTON. Six.

Mr. WHERRY. Mr. President, I should like to endorse what has been said by the distinguished senior Senator from Wyoming [Mr. O'MAHONEY]. I should like to eliminate the entire amendment from the bill, if that were possible, but at least I should like to have it passed over until there is a final determination of the Missouri Valley Authority amendment, if it is to be offered.

My reason for making that statement is that if the board is to be an advisory board—and I understand that the Mississippi River Commission operates as an advisory board—it would to some extent help create the policy. In my State we have not only those who believe in navigation and those who believe in power, but we also have in the State a large number of persons who believe in irrigation. If the Commission is appointed with a membership which is more favorable to navigation than to irrigation, or more favorable to irrigation than to navigation, we shall have conflicting interests in the State of Nebraska.

I feel that the bill, without provision in it for the Commission, will not be hurt any; and if there is to be a final authority at all, such as has already been suggested by the junior Senator from Montana [Mr. MURRAY], it would seem to me

that everything that is provided for in the provision for the establishment of a Missouri River Commission will be considered by that particular Authority. I, for one, hoping that all the interests of Nebraska may be represented, and that it will not be by the appointment of a commission composed of three civilians and three engineers, trust that the committee amendment will not be adopted or, at least, that it will be passed over until the Missouri Valley Authority amendment is brought up on the floor of the Senate and until we have a determination of it.

Mr. MURRAY. Mr. President, I wish to say that I am in full accord with what has been said by the able senior Senator from Wyoming [Mr. O'MAHONEY] and the able junior Senator from Nebraska [Mr. WHERRY] with reference to this amendment. It seems to me that the only excuse for the proposed provision is the fact that heretofore the Bureau of Reclamation and the Board of Army Engineers for Rivers and Harbors have not been able to agree on a proper program for the regulation of the river as an entire matter. In view of the fact that an effort is now being made to get those two agencies to agree upon a unified method of handling problems on the river, it seems to me there will be no need for the Commission which is proposed to be set up. It would be only advisory, as stated by the distinguished senior Senator from Louisiana [Mr. OVERTON], and could have no effect.

But it is stated that the purpose and object of setting up the Commission are to offset the need for a Missouri Valley Authority. It may be that after the Commission is set up, attempts will be made to amend it and to expand its power and authority, and, instead of having it merely advisory, to give it administrative and executive powers in connection with the handling of the problems on the river.

It seems to me there is no need at all for the Missouri River Commission Amendment. It was introduced into the bill by the Senator from Missouri, who devotes his whole thought to the subject of flood control. He stated on the floor of the Senate on Friday that he was opposed to the Missouri Valley Authority and that he was in favor of the Missouri River Commission idea wholly from the standpoint of providing protection from floods for the lower States. I can see no benefit whatever from it. I join with the two Senators who have just preceded me in discussing this matter, in asking that this provision be entirely eliminated from the bill.

The PRESIDING OFFICER (Mr. HATCH in the chair). The question is on agreeing to the committee amendment beginning on line 3, page 21.

Mr. MILLIKIN. Mr. President, I believe it might be well to have before us the provisions of the act which are referred to in the amendment. They are rather brief, and I believe it will be helpful to have them appear in the RECORD.

The statute which was originally passed, and which has since been amended in ways which I do not think are material for purposes of the present discussion, is as follows:

Chapter 43

An act to provide for the appointment of a Mississippi River Commission for the improvement of said river from the Head of the Passes near its mouth to its headwaters

Be it enacted, etc., That a Commission is hereby created, to be called the Mississippi River Commission, to consist of seven members.

SEC. 2. The President of the United States shall, by and with the advice and consent of the Senate, appoint seven commissioners, three of whom shall be selected from the Engineer Corps of the Army, one from the Coast and Geodetic Survey, and three from civil life, two of whom shall be civil engineers. And any vacancy which may occur in the Commission shall in like manner be filled by the President of the United States; and he shall designate one of the commissioners appointed from the Engineer Corps of the Army to be President of the Commission. The commissioners appointed from the Engineer Corps of the Army and the Coast and Geodetic Survey shall receive no other pay or compensation than is now allowed them by law, and the other three commissioners shall receive as pay and compensation for their services each the sum of \$3,000 per annum; and the commissioners appointed under this act shall remain in office subject to removal by the President of the United States.

SEC. 3. It shall be the duty of said Commission to direct and complete such surveys of said river, between the Head of the Passes near its mouth to its headwaters as may now be in progress, and to make such additional surveys, examinations, and investigations, topographical, hydrographical, and hydrometrical, of said river and its tributaries, as may be deemed necessary by said Commission to carry out the objects of this act. And to enable said Commission to complete such surveys, examinations, and investigations, the Secretary of War shall, when requested by said Commission, detail from the Engineer Corps of the Army such officers and men as may be necessary, and shall place in the charge and for the use of said Commission such vessel or vessels and such machinery and instruments as may be under his control and may be deemed necessary. And the Secretary of the Treasury shall, when requested by said Commission, in like manner detail from the Coast and Geodetic Survey such officers and men as may be necessary, and shall place in the charge and for the use of said Commission such vessel or vessels and such machinery and instruments as may be under his control and may be deemed necessary. And the said Commission may, with the approval of the Secretary of War, employ such additional force and assistants, and provide, by purchase or otherwise, such vessels or boats and such instruments and means as may be deemed necessary.

SEC. 4. It shall be the duty of said commission to take into consideration and mature such plan or plans and estimates as will correct, permanently locate, and deepen the channel and protect the banks of the Mississippi River; improve and give safety and ease to the navigation thereof; prevent destructive floods; promote and facilitate commerce, trade, and the Postal Service; and when so prepared and matured, to submit to the Secretary of War a full and detailed report of their proceedings and actions, and of such plans, with estimates of the cost thereof, for the purposes aforesaid, to be by him transmitted to Congress: *Provided*, That the commission shall report in full upon the practicability, feasibility, and probable cost of the various plans known as the jetty system, the levee system, and the outlet system, as well as upon such others as they deem necessary.

SEC. 5. The said commission may, prior to the completion of all the surveys and exam-

inations contemplated by this act, prepare, and submit to the Secretary of War plans, specifications, and estimates of costs for such immediate work as, in the judgment of said commission, may constitute a part of the general system of works herein contemplated, to be by him transmitted to Congress.

SEC. 6. The Secretary of War may detail from the Engineer Corps of the Army of the United States an officer to act as secretary of said commission.

SEC. 7. The Secretary of War is hereby authorized to expend the sum of \$175,000, or so much thereof as may be necessary, for the payment of the salaries herein provided for, and of the necessary expenses incurred in the completion of such surveys as may now be in progress, and of such additional surveys, examinations, and investigations as may be deemed necessary, reporting the plans and estimates, and the plans, specifications, and estimates contemplated by this act, as herein provided for; and said sum is hereby appropriated for said purposes out of any money in the Treasury not otherwise appropriated.

Approved June 28, 1879.

With the exact terms of the statute before us I believe it will be clear that in the main the functions of the Commission have already been performed through the reconciliation of the plan of the Bureau of Reclamation and of the engineers on the Missouri River. I therefore see no point in the proposed amendment, and if we are to have something of that kind it should be broadened to give representation to the Bureau of Reclamation and to the States which are involved. I do not believe the statute would serve any useful purpose whatsoever in connection with this particular bill.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. LANGER. Referring again to the Missouri River Commission, I should like to have the opinion of the Senator from Colorado as to why a commission composed of six members should receive salaries of \$7,500 a year each, when they would have no work to perform, would have no responsibilities, and would merely serve in an advisory capacity?

Mr. MILLIKIN. I see no purpose in the Commission, and therefore no purpose in any salary which the members of the Commission would be paid. I believe that the services which they would perform have already been performed by others.

Mr. LANGER. We have already paid for the services and have paid the engineering bill.

Mr. MILLIKIN. Exactly.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. WHITE. Mr. President, some discussion was had with reference to passing the amendment over. Has the amendment been passed over?

The PRESIDING OFFICER. No request has been made to pass over the amendment.

Mr. MILLIKIN. Mr. President, if I did not do so, I ask unanimous consent to have the entire statute printed in the RECORD in connection with my remarks.

Mr. OVERTON. Mr. President, I ask unanimous consent that all laws amendatory to the statute be included.

Mr. MILLIKIN. I am agreeable to the request of the Senator from Louisiana. There being no objection, the laws amendatory to the statute were ordered to be printed in the RECORD, as follows:

EXTRACT FROM 31 STATUTES AT LARGE 792-793

An act amending the act providing for the appointment of a Mississippi River Commission, and so forth, approved June 28, 1879

Be it enacted, etc., That an act entitled "An act to provide for the appointment of a Mississippi River Commission, for the improvement of said river from the head of the passes near its mouth to its headwaters," approved June 28, 1879, be amended by adding thereto the following section:

"Sec. 8. That the headquarters and general offices of said commission shall be located at some city or town on the Mississippi River, to be designated by the Secretary of War, and the meetings of the Commission except such as are held on Government boats during the time of the semiannual inspection trips of the Commission shall be held at said headquarters and general offices, the times of said meetings to be fixed by the president of the Commission, who shall cause due notice of such meetings to be given members of the Commission and the public."

Approved, February 18, 1901.

EXTRACT FROM RIVER AND HARBOR ACT OF JULY 25, 1912 (37 STAT. 818)

The traveling expenses of the civilian members of the Mississippi River Commission, and of the assistant engineer of the Board of Engineers for Rivers and Harbors, when on duty, shall be computed and paid in the same way as the traveling expenses of the Army members of said Commission and of said Board.

EXTRACT FROM MISSISSIPPI RIVER FLOOD CONTROL ACT OF MAY 15, 1928 (45 STAT. 537)

SEC. 8. The project herein authorized shall be prosecuted by the Mississippi River Commission under the direction of the Secretary of War and supervision of the Chief of Engineers and subject to the provisions of this act. It shall perform such functions and through such agencies as they shall designate after consultation and discussion with the president of the Commission. For all other purposes the existing laws governing the constitution and activities of the Commission shall remain unchanged. The Commission shall make inspection trips of such frequency and duration as will enable it to acquire first-hand information as to conditions and problems germane to the matter of flood control within the area of its jurisdiction; and on such trips of inspection ample opportunity for hearings and suggestions shall be afforded persons affected by or interested in such problems. The president of the Commission shall be the executive officer thereof and shall have the qualifications now prescribed by law for the Assistant Chief of Engineers, shall have the title brigadier general, Corps of Engineers, and shall have the rank, pay, and allowances of a brigadier general while actually assigned to such duty: *Provided*, That the present incumbent of the office may be appointed a brigadier general of the Army, retired, and shall be eligible for the position of president of the Commission if recalled to active service by the President under the provisions of existing law.

The salary of the president of the Mississippi River Commission shall hereafter be

\$10,000 per annum, and the salary of the other members of the Commission shall hereafter be \$7,500 per annum. The official salary of any officer of the United States Army or other branch of the Government appointed or employed under this act shall be deducted from the amount of salary or compensation provided by, or which shall be fixed under, the terms of this act.

Mr. CLARK of Missouri. Mr. President, the amendment providing for the creation of the Missouri River Commission was originally submitted by me in the form of a separate bill. The amendment was suggested to me by the War Department with which I had been working in connection with matters concerning flood control.

The subject of flood control is, of course, most vitally important to the people at the lower end of the Missouri Valley. The suggestion appeared to be so logical, so natural, and so imperative that I was glad to introduce a bill containing a provision for the Missouri River Commission. I may also state that the suggestion was originally made to me by one of the greatest engineers who ever served in the Engineer Corps of the United States Army, the members of which are in my opinion the greatest flood-control engineers in the United States. I refer to General Pick, who is now the builder of the famous Lido Road from India to Burma. The suggestion was to have a body modeled in all respects upon the Mississippi River Commission, which has been such a notable and monumental success in the relief of the lower Mississippi River Valley from the threat of disastrous floods. Under the leadership of General Ferguson the Mississippi River Commission has been so successful in the lower Mississippi Valley that in all the disastrous floods which have taken place in the last few years on the Missouri, on the Ohio, and on the upper Mississippi, the main stem of the Mississippi from Vicksburg to the mouth of the river has been free from the threat of disasters such as have befallen other portions of the valley.

Mr. President, it may be that there should be some change brought about in the composition of the proposed Missouri River Commission, perhaps by leaving out the member who would represent the Coast and Geodetic Survey and including a representative from the Reclamation Service. But as to the principle involved, it seems to me there can be no question that the measure would be calculated to alleviate to a very large extent the tragedy which year after year befalls the lower Missouri Valley, and the Mississippi Valley below the mouth of the Missouri.

Mr. President, during the year before last in the lower Missouri, from the mouth of the Osage to the mouth of the Missouri, we had not only one but three disastrous floods. I have seen land with which I had been familiar since I was a boy, and which had never in 60 years of cultivation produced less than 110 bushels of corn to the acre, lying under 5 or 6 feet of white sand cast up by the Missouri River. The cultivation of the land will probably be retarded for a generation, and the restoration of the land

to its normal full fertility will probably never be possible. In the same year in St. Charles County, Mo., I saw land which was worth \$275 or \$300 an acre, and as fertile as any land to be found in the Valley of the Nile, absolutely destroyed. This was 6 weeks after the flood. A river 25 feet deep and 30 feet wide was running a current right through the middle of the farms which I have in mind. There was not a place as wide as 8 feet without a destructive gully running through it.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. MURRAY. Is it not true that the conditions which the Senator from Missouri is now discussing are due to the fact that there has been no unified method of handling problems on the river? Is it not also true that the Senator now contemplates, as a result of this program, the construction of huge works on the upper stretches of the tributaries of the river, where large reservoirs and dams will be erected which will do more to help the lower States in the control of floods than any levees or works such as the Mississippi River Commission has been constructing for the last 20 years?

Mr. CLARK of Missouri. Mr. President, it would depend entirely on circumstances. The bill which I introduced would contemplate the construction of reservoirs on the upper reaches of the river. The contemplated plan would include some large reservoirs in my own State. In my judgment, it would also be necessary to have levees constructed on the lower reaches of the river. More important than anything else, it seems to me, would be to make every effort—and it was included as a separate title in my bill—to keep a great deal of the water on the land where it falls. In other words, it seems to me that we need all three of those benefits or methods. First, we need to retain as much as possible of the water on the land where it falls, and prevent it from draining into the tributaries. It is necessary, in my opinion, to have large reservoirs, or catch basins—whatever we may please to call them—on the upper and on the lower reaches not only of the Mississippi but the Missouri as well, and it is necessary to have levees.

I do not think the levee system has proved entirely successful as a separate proposition, although it undoubtedly saved the inundation of millions of acres of very rich land from time to time. Something more than a levee system is necessary. The Mississippi River Commission have done a superb work in their testing basin at Vicksburg. They worked out the matter of currents and floods in the Mississippi River, the elimination of a great many of the tortuous curves that used to be in the river, and the finding of other outlets. There have been tremendous floods in the last few years on the upper Mississippi and the Missouri, sometimes as many as three of them a year, I might say to the Senator from Montana that not all that water came from Montana, Wyoming, or any other places in the upper reaches of the Missouri River; a part came as the result of

heavy rainfalls in Kansas and Missouri. But in all those tremendous floods the most disastrous in all history, the lower Mississippi, the section from Vicksburg to the mouth, which was formerly and from time immemorial the danger spot, the most vital and the most vulnerable of any place in the whole Mississippi Valley, has been free from those disasters. I think that the work of the Mississippi River Commission has been a tremendous factor in effectuating that result. It has been brought about under their leadership.

It does not seem to me that whether there shall be a Missouri River Commission, based on the same principles as the Mississippi River Commission, has anything whatever to do with the question whether ultimately Congress might decide to set up a Missouri Valley Authority, to which, so far as I am concerned, I will say frankly, according to my present lights, I am opposed. I think the Missouri Valley is too vast a section of the United States for the principle of the Tennessee Valley Authority to be applicable, certainly according to the lights we have at the present time.

So the establishment of the Missouri River Commission designed to handle the desperate emergency we have been facing year after year and sometimes three times in one year, does not seem to me to have anything whatever to do with the question of whether Congress ultimately desires to set up some other and more comprehensive scheme.

What I am pleading for is relief for the people who are being flooded away from their land. We are suffering loss of life, we are suffering tremendous loss of property. At a time when the effort is being made to have the United States feed the world we are losing incalculable sums by these constantly recurring floods.

I have another amendment which I intend to offer, as I suggested the other day. I think it is also very important as affecting the question of controlling and handling floods. Someone has to be put in charge of that work, and I propose the Corps of Engineers simply because I think they are better qualified than anyone else. I propose that the same authority shall control and regulate the dams of this country, both privately and publicly owned, for the purpose of preventing the occurrence of floods on the lower reaches of these rivers.

We had an example—I do not know whether the Senator happened to be in the Chamber the other day when I made reference to it—in the case of the Osage River in Missouri. The Bagnell Dam, owned and operated by a public utility which was privately owned, created a lake in the Ozarks. The lake was allowed to get full of water. Then heavy rains ensued, and they finally opened the flood gates and permitted a 12-foot head of water to go down the Osage River and into the Missouri and thence into the Mississippi, wreaking terrific damage as far down the Mississippi River as Cairo. At about the same time precisely the same thing happened in the case of the Pensacola Dam in Oklahoma, which was a publicly owned dam and under public opera-

tion. I say there ought to be some authority that can compel the operation of all such dams in such a way as not to create a serious menace to the people who live along any stream.

Coming back to the question of the Missouri River Commission, I want to repeat that there seems to me to be absolutely no reason to assume that by reason of the creation of the Missouri River Commission, based on precisely the same principles as the Mississippi River Commission, which has been so successful, any attempt is being made to make any commitments as to future policy of Congress against a more comprehensive scheme such as the Missouri Valley Authority. All we are seeking to do is to afford relief to the people of the Missouri Valley from the tragic and desperate situation which now confronts them. It is, it seems to me, an emergency matter.

Mr. MURRAY. Mr. President, I appreciate the very able argument the Senator from Missouri has just made, and I can understand his apprehensions with reference to flood problems in his section of the Missouri River. But it seems to me, unless it is absolutely necessary that we should have this commission set up, that we should not undertake to set it up at this time. It would be a new commission; it would add a new organization to the Government set-up.

Mr. CLARK of Missouri. Mr. President, the Senator and I both have voted for so many new commissions and boards and bureaus and organizations since we have been Members of the Senate that in a matter which I consider to be a desperate emergency I do not think we should hesitate about the proposal. I have usually been reluctant to vote for the creation of new commissions, but in view of the fact that there is an established model for the commission now proposed, it seems to me that in that situation the people affected are entitled to some relief.

We have a situation, I will say to the Senator, which would make it very difficult for a Missouri Valley Authority to operate effectively. At one place the Missouri River cuts through the Mississippi a distance of some 15 miles above the mouth of the Missouri. If we do have a Missouri Valley Commission, who would have jurisdiction over the water that is coming down from Missouri and going across into the Mississippi above the mouth of the Missouri?

Mr. MURRAY. Is it not true that the need for such a commission as the Senator is talking about will largely be obviated as a result of the understanding that is sought to be brought about between the various interests on the river and the Bureau of Reclamation and the Army engineers?

Mr. CLARK of Missouri. So far as that is concerned, I am very happy that that agreement is being worked out. I think that is something which ought to have been done a long time ago. It is only common sense to have that done. But I repeat what I said a moment ago that we who are living on the lower reaches of the Missouri River are under the gun. We are being flooded, we are having our lives endangered and our

property destroyed, and, no matter what agreement may be made by the Bureau of Reclamation and the Corps of Army Engineers as to these great reservoirs, which I am sure will be helpful in preventing floods, we need a commission that could accomplish in some degree what the Mississippi River Commission has worked out for the lower Mississippi. Let me say that that was not done particularly by building reservoirs; it was done by a study of the problems, the creation of new outlets, eliminating tortuous turns in the Mississippi River, and, heaven knows, there is no stream on the face of the earth that has more tortuous turns to be brought under control than the lower reaches of the Missouri River.

It does seem to me that, whatever may be the ultimate policy of the Government as to a Missouri Valley Authority, the people in the lower end of the Missouri Valley are entitled to such relief as I believe would be afforded by the creation of the Missouri River Commission and they are entitled to it now. I do not wish to belabor the subject.

Mr. MURRAY. Mr. President, it seems to me that in the absence of an effort to bring about a greater degree of unity and cooperation between the various Federal agencies which are working on this river problem, there can be no need now for this purely advisory commission. All they could do would be to advise. Would it not be true that, as a result of the engineers representing the various agencies working on the river, those engineers would be able to study the problem?

Mr. CLARK of Missouri. It may be true that this would be an advisory commission, but such advice has been of incalculable value in the case of the Mississippi River. Certainly no one could be more zealously in favor of the principle of coordination of various Government agencies than I am and have always been; but, as I have said, it is like the man who house was burning and he was told, "Well, we will go down and have a consultation as to the best methods of fire protection and the best insulation, and we will let you know after your house has burned down." We are "under the gun," we are being flooded, we are losing property, we are losing lives, and therefore it seems to me that whatever may be the ultimate policy of the Government, and whatever degree of coordination may ultimately be worked out, the creation of the Missouri River Commission would be a very beneficial step.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The question is on agreeing to the amendment of the committee on page 21, beginning in line 3.

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

The LEGISLATIVE CLERK. On page 45, after line 23, it is proposed to add a new section, as follows:

SEC. 15. (a) The Chief of Engineers of the United States Army is authorized and directed to make examinations of any privately owned or operated dam constructed across navigable waters of the United States, or across tributaries thereof.

(b) Whenever it shall appear, after reasonable notice and opportunity for hearing to the person or corporation owning or controlling any such dam, that such dam is being operated or maintained in such a manner as to jeopardize the safety of persons or property either above or below such dam, the Chief of Engineers shall enter orders requiring such changes in the operation or maintenance of such dam as he deems appropriate and necessary, and prescribing a reasonable time within which such changes shall be made. If, at the end of such reasonable time, the changes in operation or maintenance ordered by the Chief of Engineers have not been made, the Chief of Engineers shall notify the United States district attorney for the district in which such dam or any part thereof is situated, who shall forthwith cause criminal proceedings to be instituted against the person, or corporation, owning or controlling such dam.

(c) Any person or corporation willfully failing or refusing to comply with an order of the Chief of Engineers issued pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$5,000. Every month during which such willful failure or refusal continues shall be deemed to be a separate offense and shall subject such person or corporation to the penalties herein prescribed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MILLIKIN. Mr. President, may we have an explanation of the amendment?

Mr. CLARK of Missouri. Mr. President, I was just undertaking to explain the amendment in my colloquy a few minutes ago with the Senator from Montana. The idea of the amendment came from two incidents which I observed during the floods of 2 years ago. One was in connection with the Grand River Dam, in Oklahoma, the other was in connection with the Osage River Dam, in Missouri, one publicly operated, the other privately operated, but both of them so misoperated that they caused very disastrous floods, indeed, some of the most disastrous floods in history.

The purpose of the amendment is merely to provide some police power which in a proper case can advise the operators of dams, whether public or private, when they are endangering life and property owners either above or below the danger point, and it does not make any difference which, from that standpoint. The purpose is to bring about a situation that it will not be possible for private operators of a dam such as that on the Osage River to open up their flood gates and let a 12-foot head of water go down the Osage River, thence into the Missouri, thence into the Mississippi, causing untold millions of dollars of damage, and destroying some natural resources which can probably never be replaced.

The theory of the amendment is merely to have some authority, it does not make a great deal of difference which authority is set up, so far as that is concerned, that can act for the protection of the property owners above or below where dams are located. I suggest the Corps of Engineers, because I regard them as the ablest authorities in the country in connection with flood control.

Mr. MILLIKIN. Mr. President, I should like to invite attention to two preliminary facts: First, that we already have such legislation as to the navigable streams of the country; second, that this legislation is broad enough to cover the nonnavigable streams of the Nation.

When we come to consideration of the second fact, the proposed amendment crosses, in a very adverse way, the entire conception of the arid and semiarid States as to the control of the waters on nonnavigable streams. For example, Colorado, Idaho, New Mexico, Wyoming, and South Dakota have definite provisions in their constitutions, accepted by the Congress of the United States by their admission into the Union. I shall read the pertinent paragraph of the Colorado Constitution, for, roughly, it is the same in the others I have mentioned.

I quote from article XVI of the Colorado Constitution:

The water of every natural stream, not heretofore appropriated, within the State of Colorado, is hereby declared to be the property of the public, and the same is dedicated to the use of the people of the State, subject to appropriation as hereinafter provided.

I venture to say there is not one of the arid or semiarid States which does not have control statutes enabling the appropriate State officials to regulate and control the improper use of dams, or the improper construction of dams on nonnavigable streams.

For example, I should like to read into the RECORD some of the provisions which prevail in Colorado, and which we in Colorado believe afford the best protection that can be gotten, under the circumstances, for our citizens. I believe also that, somewhat similar statutes prevail in the rest of the 17 arid and semiarid States.

I read from the 1935 Colorado Statutes Annotated, volume 3, chapter 90, section 83 to section 92, inclusive:

CONTROL OF RESERVOIRS AND DAMS IN COLORADO
FROM 1935 COLORADO STATUTES ANNOTATED, VOLUME 3, CHAPTER 90, SECTIONS 83-92, INCLUSIVE

SEC. 83. Reservoir and dam over certain size not to be built without filing plans with State engineer and obtaining his approval: No reservoir of a capacity of more than 1,000 acre-feet or having a dam or embankment in excess of 10 feet in vertical height, or having a surface area at high-water line in excess of 20 acres shall hereafter be constructed in this State except that the plans and specifications for the same shall have first been approved by the State engineer and filed in his office; and the State engineer shall act as consulting engineer during the construction thereof, and shall have authority to require the material used and the work of construction to be done to his satisfaction; and no work shall be deemed complete under the provisions of this law until the State engineer shall furnish to the owners of such structures a written statement of the work of construction and the full completion thereof, together with his acceptance of the same, which statement shall specify the dimensions of such dam and capacity of such reservoir or reservoirs (L. 1899, p. 314, sec. 1; R. S. 1908, sec. 3205; C. L., sec. 1685; L. 1925, p. 330, sec. 1).

SEC. 84. Cost of inspection and supervision paid by owner: The owner or owners of such reservoirs shall pay to said State engineer his actual expenses incurred in making per-

sonal inspection, and shall pay to any deputy appointed by him to attend to such supervision not to exceed \$10 per day and actual expenses for each and every day necessarily employed for such purposes (L. 1899, p. 314, sec. 2; R. S. 1908, sec. 3206; C. L., sec. 1686; L. 1925, p. 331, sec. 1).

SEC. 85. Engineer to determine amount of water to be stored: The State engineer shall annually determine the amount of water which it is safe to impound in the several reservoirs within this State and it shall be unlawful for the owners of any reservoir to store in said reservoir water in excess of the amount so determined by the State engineer to be safe (L. 1899, p. 315, sec. 3; R. S. 1908, sec. 3207; C. L., sec. 1687).

SEC. 86. Water commissioner to withdraw excess water—Close inlets: In the event of the owners of any such reservoir impounding water therein to a depth greater than that determined by the State engineer to be safe, it shall be the duty of the water commissioner of the district where such reservoir shall be located to forthwith proceed to withdraw from said reservoir so much of the water so impounded therein as shall be in excess of the amount so determined by the State engineer to be safe, and shall close the inlets to the same so as to prevent said reservoir from being refilled to an amount beyond what said State engineer shall have designated as being safe. In the event of the owners of said reservoir, or any other person or persons, interfering with the water commissioner in the discharge of said duty, the said water commissioner shall call to his aid such persons as he deems necessary, and employ such force as the circumstances demand to enable him to comply with the requirements of this section (L. 1899, p. 315, sec. 4; R. S. 1908, sec. 3208; C. L., sec. 1688).

SEC. 87. Complaint that reservoir is unsafe—Duty of engineer: Upon complaint being made to the State engineer by three or more persons residing or having property in such a location that their homes or property would be in danger of destruction or damage in the event of a flood occurring on account of the breaking of the embankment of any reservoir within the State, that said reservoir is in an unsafe condition, or that it is being filled with water to such an extent as to render it unsafe, it shall be the duty of the State engineer to forthwith examine said reservoir and determine the amount of water it is safe to impound therein. If upon such examination, the State engineer shall find that said reservoir is unsafe, or is being filled with water to such an extent as to render it unsafe, it shall be his duty to immediately cause said water to be drawn off from said reservoir, to such an extent as will, in his judgment, render the same safe. If water is then flowing into said reservoir, he shall cause the same to be discontinued (L. 1899, p. 315, sec. 5; R. S. 1908, sec. 3209; C. L., sec. 1689).

SEC. 88. Engineer may use force—Violation of engineer's order: The State engineer is hereby authorized and empowered to use such force as is necessary to perform the duties required of him in the preceding section, and to have and exercise all of the powers conferred upon the water commissioner by section 86 of this chapter. If, after any of such reservoirs shall have been examined by said State engineer, the owners thereof, or any other person or persons, shall fill or attempt to fill them, or either of them, to a point in excess of the amount the State engineer shall have determined to be safe, then it shall be the duty of the water commissioner of the district wherein such reservoir is located to proceed as is directed by section 86 of this chapter (L. 1899, p. 316, sec. 6; R. S. 1908, sec. 3210; C. L., sec. 1690).

SEC. 89. Expense of examination—By whom paid: The persons calling upon the State engineer to perform the duty required of him by section 87 of this chapter shall pay him mileage in advance at the rate of 10

cents per mile for each mile actually and necessarily traveled in going to and from said reservoir, and should the State engineer find upon examination that such reservoir is in an unsafe condition, the owners thereof shall be liable for all expenses incurred in such examination (L. 1899, p. 316, sec. 7; R. S. 1908, sec. 3211; C. L., sec. 1691).

SEC. 90. Appeal from decision of engineer: In the event of either party being dissatisfied with the decision of the State engineer, they may taken an appeal to the county or district court of the county wherein said reservoir is located, and said court shall hear and determine the matter summarily at the earliest practical time without written pleadings or the aid of a jury; subject to the right of either party to take an appeal or writ of error as in other civil cases; provided, that the judgment of the State engineer shall control until final determination of the cause (L. 1899, p. 316, sec. 8; R. S. 1908, sec. 3212; C. L., sec. 1692).

SEC. 91. Owners liable for damages in case of breakage of reservoir: None of the provisions of sections 83 to 92 of this chapter shall be construed as relieving the owners of any such reservoir from the payment of such damages as may be caused by the breaking of the embankments thereof, but in the event of any such reservoir overflowing, or the embankments, dams, or outlets breaking or washing out, the owners thereof shall be liable for all damage occasioned thereby (L. 1899, p. 316, sec. 9; R. S. 1908, sec. 3213; C. L., sec. 1693).

SEC. 92. Violation of sections—Penalty—Disposition of fines: Any reservoir company failing or refusing, after 10 days' notice in writing having been given, to obey the directions of the State engineer as to the construction or filling of any reservoir as herein provided, shall be subject to a fine of not less than \$50, for each offense, and each day's continuance after time of notice has expired shall be considered a separate offense; such fines to be recovered by civil action in the name of the people, by the district attorney, upon the complaint of the State engineer, and in the county where the injury complained of occurred. The proceeds of all fines, after payment of costs and charges of proceedings, shall be paid into the county treasury for the use of the general fund of the county (L. 1899, p. 317, sec. 10; R. S. 1908, sec. 3214; C. L., sec. 1694).

As I said before, Mr. President, I believe that substantially similar legislation prevails in the other arid and semiarid States. Thus it will be seen that as to the unnavigable streams of the Nation, where under our State constitutions and under the laws of Congress and under the decisions of the Supreme Court of the United States we have control over the waters for local use, we have taken those precautions which are necessary to protect the people from flood damage.

Mr. BUSHFIELD and Mr. WHITE addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield, and if so to whom?

Mr. MILLIKIN. I yield first to the distinguished junior Senator from South Dakota.

Mr. BUSHFIELD. I know the distinguished Senator has given this matter extensive study and thought, but I should like to ask him about the provisions of section 15, the first paragraph of which reads:

The Chief of Engineers of the United States Army is authorized and directed to make examinations of any privately owned or operated dam constructed across navigable waters of the United States, or across tributaries thereof.

Mr. President, it seems to me the only construction that can be given to that language is that it would give the Chief of Engineers complete domination over all the waters in any of the individual States, because many of the tributaries are not navigable.

Mr. MILLIKIN. In my judgment, Mr. President, that is the entire purport of the proposed amendment, for, as I said at the beginning of my remarks, we already have a statute which gives the Chief of Engineers full power over navigable streams.

Mr. WHITE. Mr. President, will the Senator now yield to me?

Mr. MILLIKIN. Yes.

Mr. WHITE. Is it not true that under the language of subparagraph (a) as it stands, the Federal authorities are given the right to enter upon private lands, upon a privately constructed dam, and make investigations even though there is not the slightest showing of any danger arising from the structure itself, even though there is not even a shadow of suspicion that there is any defect in the structure or any danger to anyone? This language is sufficiently broad, nevertheless, to permit the Federal authorities to go upon a navigable stream or on a nonnavigable stream within the Senator's State or any other State, and make investigation.

Mr. MILLIKIN. That, Mr. President, is entirely correct, and it is correct despite the fact, which I believe I have developed by reading from a typical State statute for the control of dams and reservoirs, that we have taken the utmost precaution to render our streams safe.

In that connection let me add that we are prone to overemphasize the importance of our reclamation projects in their relation to the whole subject of controlled waters in the arid and semiarid parts of the country. The reclamation projects now in being only involve about 10 percent of all the reclamation that is being done in the western country. I am speaking in terms of acreage. In other words, roughly 89 or 90 percent of all the lands being brought under water by irrigation is by private individuals and private associations which have their own dams, and I venture to say that over the country at large there are literally thousands of dams, small and large, privately owned, on nonnavigable streams, having no possibility of damage to anyone below them, which automatically would come under the provisions of this measure, would require inspection of them, require enormous additions to the investigative staff of the Chief of Engineers, and would pester and harass and subject to criminal prosecution any man who declines to make the alteration requested or who declines to follow the order promulgated.

One of the basic defects of the measure is that even if a man were placed in jail there would be no assurance, under the terms of the measure, that the danger objected to would be remedied. I think the proposed amendment is full of many defects, especially in the matter of notice and hearing, and the absence of those provisions which, even if the policy were good, would not bring about the relief

desired, to wit, the correction of a condition rather than putting a citizen in jail.

The Chief Engineer, I add, must act automatically under the terms of this provision. If the citizen refused to do what the Chief of Engineers says he shall do, he is automatically subjected to a criminal proceeding, he can be fined and sent to jail, and the merits of the matter—this is an astonishing situation—the merits of the matter cannot be tried under the language of the proposed amendment. If the individual fails to obey what might be a completely arbitrary order, he goes to jail if the terms of this amendment are complied with.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. WHERRY. The Senator has answered what I had in mind to ask, as to what would happen in the event of a conviction without a hearing. There is no provision in the section for a court review or for an appeal.

Mr. MILLIKIN. Nothing at all. The individual is automatically convicted, if the jury and the judge carry out the mandate provided in the amendment, if he fails to respond to the command of the engineers, whether the command is just or unjust. And the thing to be remedied, to save people from the damage of flood, is not touched by this section. A man who feels indignant over an unjust charge might be willing to go to jail, and the matter of the objection to his dam or the control of his water, as urged by the engineers, would not be touched.

Let me repeat that to my mind, and I believe to the minds of the rest of us from the arid and semiarid States, the theory of the bill represents an unwarranted encroachment on the control of water of nonnavigable streams which has been so often confirmed in the States by Supreme Court decisions, by the statutes of Congress, and by the constitutions of the States which I have mentioned and which were accepted by Congress.

I wish to read a few excerpts from the case of *California Oregon Power Co. v. Beaver Portland Cement Co. et al.* (293 U. S. 142), decided by unanimous opinion of the Supreme Court of the United States in 1935.

The question there was whether riparian rights on waters in the State of Oregon should prevail over the doctrine of prior appropriation and beneficial user. The cement company was blasting the stream to open up a way for an irrigation diversion, and to get building block for some kind of structure which it intended to erect. The power company brought an injunction proceeding on the ground that this was an interference with its riparian rights.

It will be recalled that under the common law the riparian owner is entitled to the undiminished, unpolluted flow of the stream, whereas under the doctrine which prevails in the arid and semiarid West, with the exception of some mixed systems in a few of the States, the man who first appropriates the water and puts it to a beneficial use is entitled to that water, whether or not he be on the stream and regardless of how far away from the stream he may be. The Supreme Court

of the United States therefore felt called upon to discuss and consider the nature of our western water rights. I shall read a few excerpts from the opinion. I read first from pages 153 and 154 of the opinion:

The question with which we are here primarily concerned is whether—in the light of pertinent history, of the conditions which existed in the arid and semiarid land States, of the practice and attitude of the Federal Government, and of the congressional legislation prior to 1885—the homestead patent in question carried with it as part of the granted estate the common-law rights which attach to riparian proprietorship.

Later the Supreme Court said in its opinion, on pages 155 and 158:

The effect of these acts—

The Supreme Court was referring to an act of Congress of 1866 and an amendatory act of 1870.

The effects of these acts are not limited to rights acquired before 1866. They reach into the future as well, and approve and confirm the policy of appropriation for a beneficial use, as recognized by local rules and customs, and the legislation and judicial decisions of the arid-land States, as the test and measure of private rights in and to the nonnavigable waters on the public domain (citing State cases).

If the acts of 1866 and 1870 did not constitute an entire abandonment of the common-law rule of running waters insofar as the public lands and subsequent grantees thereof were concerned, they foreshadowed the more positive declarations of the Desert Land Act of 1877, which it is contended did bring about that result. That act allows the entry and reclamation of desert lands within the States of California, Oregon, and Nevada (to which Colorado was later added), and the then territories of Washington, Idaho, Montana, Utah, Wyoming, Arizona, New Mexico, and Dakota, with a proviso to the effect that the right to use of waters by the claimant shall depend upon bona fide prior appropriation, not to exceed the amount of waters actually appropriated and necessarily used for the purpose of irrigation and reclamation. Then follows the clause of the proviso with which we are here concerned:

"All surplus water over and above such actual appropriation and use, together with the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable, shall remain and be held free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes subject to existing rights" (ch. 107, 19 Stat. 377).

For the light which it will reflect upon the meaning and scope of that provision and its bearing upon the present question, it is well to pause at this point to consider the then-existing situation with respect to land and water rights in the States and Territories named. These States and Territories comprised the western third of the United States—a vast empire in extent, but still sparsely settled. From a line east of the Rocky Mountains almost to the Pacific Ocean and from the Canadian border to the boundary of Mexico—an area greater than that of the Original Thirteen States—the lands capable of redemption, in the main, constituted a desert, impossible of agricultural use without artificial irrigation.

In the beginning, the task of reclaiming this area was left to the unaided efforts of the people who found their way by painful effort to its inhospitable solitudes. These western pioneers, emulating the spirit of so many others who had gone before them in similar ventures, faced the difficult problem of wresting a living and creating homes from the raw elements about them, and threw

down the gage of battle to the forces of Nature. With imperfect tools, they built dams, excavated canals, constructed ditches, plowed and cultivated the soil, and transformed dry and desolate lands into green fields and leafy orchards. In the success of that effort, the general Government itself was greatly concerned—not only because, as owner, it was charged through Congress with the duty of disposing of the lands, but because the settlement and development of the country in which the lands lay was highly desirable.

To these ends, prior to the summer of 1877, Congress had passed the mining laws, the homestead and preemption laws, and finally, the Desert Land Act. It had encouraged and assisted, by making large land grants to aid the building of the Pacific railroads and in many other ways, the redemption of this immense landed estate. That body thoroughly understood that an enforcement of the common-law rule, by greatly retarding if not forbidding the diversion of waters from their accustomed channels, would disastrously affect the policy of dividing the public domain into small holdings and effecting their distribution among innumerable settlers.

In respect of the area embraced by the desert-land States, with the exception of a comparatively narrow strip along the Pacific seaboard, it had become evident to Congress, as it had to the inhabitants, that the future growth and well-being of the entire region depended upon a complete adherence to the rule of appropriation for a beneficial use as the exclusive criterion of the right to the use of water. The streams and other sources of supply from which this water must come were separated from one another by wide stretches of parched and barren land which never could be made to produce agricultural crops except by the transmission of water for long distances and its entire consumption in the processes of irrigation. Necessarily, that involved the complete subordination of the common-law doctrine of riparian rights to that of appropriation. And this substitution of the rule of appropriation for that of the common law was to have momentous consequences. It became the determining factor in the long struggle to expunge from our vocabulary the legend "Great American Desert," which was spread in large letters across the face of the old maps of the far West.

In the light of the foregoing considerations, the Desert Land Act was passed, and in their light it must now be construed. By its terms, not only all surplus water over and above such as might be appropriated and used by the desert-land entrymen, but "the water of all lakes, rivers, and other sources of water supply upon the public lands and not navigable" were to remain "free for the appropriation and use of the public for irrigation, mining, and manufacturing purposes." If this language is to be given its natural meaning, and we see no reason why it should not, it effected a severance of all waters upon the public domain, not theretofore appropriated, from the land itself.

I quote from pages 162 and 165 of the opinion:

As the owner of the public domain, the Government possessed the power to dispose of land and water thereon together, or to dispose of them separately.

I interject to say that the Constitution, in article IV, gives the Congress the definite right to dispose of public property.

The fair construction of the provision now under review is that Congress intended to establish the rule that for the future the land should be patented separately; and that all nonnavigable waters thereon should be reserved for the use of the public under the laws of the States and Territories named.

The words that the water of all sources of water supply upon the public lands and not navigable "shall remain and be held free for the appropriation and use of the public" are not susceptible of any other construction. The only exception made is that in favor of existing rights; and the only rule spoken of is that of appropriation. It is hard to see how a more definite intention to sever the land and water could be evinced. The terms of the statute, thus construed, must be read into every patent thereafter issued, with the same force as though expressly incorporated therein, with the result that the grantee will take the legal title to the land conveyed, and such title, and only such title, to the flowing waters thereon as shall be fixed or acknowledged by the customs, laws, and judicial decisions of the State of their location. If it be conceded that in the absence of Federal legislation the State would be powerless to affect the riparian rights of the United States or its grantees, still, the authority of Congress to vest such power in the State, and that it has done so by the legislation to which we have referred, cannot be doubted.

The proceedings in connection with the adoption of the Desert Land Act bear out this view. The bill which subsequently became the act was called up for consideration in the Senate on February 27, 1877. The report of the committee, among other things, said that the larger portions of the lands bordering on the streams had been appropriated; that the provisions of the bill would enable settlers by combined efforts to construct more extensive works and reclaim lands now worthless; that a system had already grown up in the States and Territories included in the bill which recognized priority of appropriation as the rule governing the right to the use of water, limiting the amount to that actually used, and thus avoiding waste. Senator Sargent, of California, who was in charge of the bill, in the course of the debate said that one great difficulty had been that "cattlemen go under a fictitious compliance with the terms of the preemption law and take their land along the margin of the streams, and then there is no possibility of getting water to the back country at all. I want to provide so that persons in the back country may go above such a person, for instance, on Humboldt River, and take the water out and conduct it on the back lands." (CONGRESSIONAL RECORD, vol. V, pt. 3, 44th Cong., 2d sess., pp. 1965-1966). There is nothing in the language of the act or in the circumstances leading up to or accompanying its adoption that indicates an intention on the part of Congress to confine the appropriation of water in contravention of the common-law doctrine to desert-land entrymen.

Second. Nothing we have said is meant to suggest that the act, as we construe it, has the effect of curtailing the power of the States affected to legislate in respect of waters and water rights as they deem wise in the public interest. What we hold is that following the act of 1877, if not before, all nonnavigable waters then a part of the public domain became publici juris, subject to the plenary control of the designated States including those since created out of the territories named, with the right in each to determine for itself to what extent the rule of appropriation or the common-law rule in respect of riparian rights should obtain. For since "Congress cannot enforce either rule upon any State" (*Kansas v. Colorado* (203 U. S. 46, 94)), the full power of choice must remain with the State. The Desert Land Act does not bind or purport to bind the States to any policy. It simply recognizes and gives sanction, insofar as the United States and its future grantees are concerned, to the State and local doctrine of appropriation, and seeks to remove what otherwise might be an impediment to its full and successful operation. (See *Wyoming v. Colorado* (259 U. S. 419, 465).)

Briefly, Mr. President, acting on the assurances of our own State constitutions, accepted by the Congress of the United States, and acting on the assurances of opinions of this kind, we have constructed our own dams, and have set up our own rules for the regulation of water no nonnavigable streams, and the proposed amendment runs directly contrary thereto. Therefore I hope it will not be adopted.

Mr. O'MAHONEY. Mr. President, I wish to add a word to what the distinguished Senator from Colorado has said about the importance to the people of the West of rejecting this amendment. I understand perfectly the reasons which have prompted the Senator from Missouri [Mr. CLARK] to suggest the amendment. Of course steps should be taken to prevent the improper use of constructions upon any river system that would tend to create danger of floods and make more difficult the control of floods; but what is not generally understood by those who have been dealing with this problem is that an utterly different condition exists in the far West from that which exists in all other sections of the country.

I have before me a map showing the average annual precipitation in the United States, compiled from weather records. It will be observed that more than one-half of the United States on this map is colored in green. That green area is an area in which the annual precipitation is in excess of 20 inches, and except for a very small portion of that area the annual precipitation is between 30 and 80 inches of rainfall annually.

The other area, the West, is what was known and described by Daniel Webster and others as the Great American Desert. Webster was of the opinion that that area could not be developed. He was of the opinion that it was utterly useless for the United States to consider, even in a passing way, the acquisition or development of that land; and yet we have lived to see the time when it has been developed into thriving and successful States, in which people have established prosperous businesses and homes.

All that growth in the West has been dependent upon the utilization of water by means of the application of the doctrine of appropriation. When the pioneers went west, when they went to the Pacific coast to bring about the development of the gold and other minerals there, they began the use of water in the streams by right of appropriation. In 1866, and later in 1877, and later by numerous other acts of Congress, the legislative body of this country has recognized the right of people to use water, as distinct and separate from the land. In other words, there has grown up the use of water as a separate entity from the use of the land itself. The doctrine of use of water—not ownership, but use—has become the basis of all western growth. No one in the West can assert ownership to water and can hold it against development. If there is water which has been appropriated by a user, but if the user is not using it, and if another settler feels he can make a beneficial use of it, he can go to the courts and can obtain an ad-

judication of his rights. That is the reason why the courts—the Supreme Court and all others—have stated that the use of water in the West is a public matter.

Mr. CLARK of Missouri rose.

Mr. O'MAHONEY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I should like to say to the Senator that, regardless of the various irrigation projects in the arid and semiarid States, there is nothing in the amendment which is intended to interfere with the use of water by appropriation or to interfere with any other rights which may exist in the arid or semiarid States. The whole purpose of the amendment is to establish a police authority which will prevent the operator of a dam, such as the dams I have described in Oklahoma and Missouri, from operating his dam in such a way as to be a menace to both the property and life below it.

Mr. O'MAHONEY. I fully realize that is the purpose.

Mr. CLARK of Missouri. Some of the dams have been operated in a manner which is as dangerous as having a man go out into a street and fire a revolver up and down the street. Many of the people living in that area have been constantly in the shadow of the fear that the operator of the dam will operate it in such a way as to endanger their lives or property, or both.

I may say that the amendment is not now in the form in which it was when I introduced it. Also let me say that I had no purpose of interfering with the Western rights in connection with the use of water.

Mr. O'MAHONEY. I was quite sure that was the Senator's attitude. There was no doubt in my mind that the Senator had no intention whatsoever of interfering with the traditional land policy.

The point I wished to make, however, was that which has already been made by the Senator from Colorado, namely, that the language of the amendment is so broad that it would utterly tear down and destroy the State system of adjudication of water rights which has been established over a long period of years, because it would give the Secretary of War the right to control dams on the tributaries. Even though an individual, a lone farmer, in some distant tributary creek in the very heights of the mountains had built a dam, if some person under the jurisdiction of the Secretary of War deemed it to be an improper dam, it would be subject to the criminal provision which is written into the bill.

Mr. CLARK of Missouri. Mr. President, will the Senator yield further?

Mr. O'MAHONEY. Certainly.

Mr. CLARK of Missouri. Would it meet the objections of the Senator if, in lines 2 and 3, on page 46, the words "or across tributaries thereof" were stricken?

Mr. O'MAHONEY. Of course, that would be an improvement.

Mr. CLARK of Missouri. The amendment is a committee amendment, and of course I have no authority to agree to eliminate those words.

Mr. O'MAHONEY. I understand.

Mr. President, it is my belief that the interests of all parties will best be met if the amendment is rejected, so that opportunity will be given for further study—and there will be further study—as to the proper control of dams which create the menace which the Senator from Missouri so properly hopes to overcome.

Mr. President, I hope the amendment will be rejected.

Mr. CLARK of Missouri. Mr. President, let me say that the incidents to which I have referred occurred 2 years ago. The only evidence which has come to my attention on the part of anyone with respect to giving consideration to those undoubted evils or bringing about a correction of them is contained in the pending amendment. Two years have elapsed since that time, with the possibility of the occurrence of many more such incidents.

Mr. OVERTON. Mr. President, what the committee had in mind in accepting the amendment offered by the able senior Senator from Missouri [Mr. CLARK] was the control of dangerous dams so that any menace to life and property would be removed. That is the proper interpretation to be placed upon the amendment. We do not undertake to specify what the dams are, but we say:

(b) Whenever it shall appear, after reasonable notice and opportunity for hearing to the person or corporation owning or controlling any such dam, that such dam is being operated or maintained in such a manner as to jeopardize the safety of persons or property either above or below such dam.

So it is not to be supposed, as has been suggested here in argument, that the Chief of Engineers will undertake to control all private dams throughout the United States. What the Chief of Engineers will do under the terms of the amendment will be simply to remove the jeopardy and danger to life and property, when they exist, caused by private dams. That is the extent of the amendment.

It may be that the amendment in its penal provisions is rather drastic, and I am willing to concede that those provisions are rather drastic; but I think probably they could be so modified in conference as to remove the objectionable features.

The discussion has gone rather far afield as to the rights of States and of individuals in the navigable waters of the United States. Mr. President, I do not think there is any doubt whatsoever that the Congress has supreme authority over all navigable waters of the United States, and that what are navigable waters are not necessarily those waters which are actually being subjected to navigation. Navigable waters are those which may be subjected to navigation; navigable waters are those which influence other waters which are subject to navigation. That would probably take in all streams and tributaries which flow into any navigable stream.

In the course of the hearings I undertook to express the jurisprudence of the United States Supreme Court on this question, and I should like to read from page 41 of the printed hearings. The matter was under discussion and I made

the following statement which I think is a correct statement of all the decisions of the United States Supreme Court taken as a whole. I said:

As I understand it, the authority of the Federal Government stems from the interstate commerce clause and, of course, the Constitution gives Congress control over navigable waters as an incident to its power to regulate interstate commerce. Decisions of the United States Supreme Court have, from time to time, construed the power of the Congress over waterways. It is my understanding that any waterway that can reasonably be improved so as to make it navigable in interstate commerce is a navigable waterway of the United States; that the waterway is navigable even though it has ceased to be used in interstate commerce; that the authority of Congress over navigable waters is not limited to control solely for the purpose of navigation but embraces all the needs of commerce; that Congress may control non-navigable parts of a river in order to promote commerce on parts that are navigable; that the power of Congress to protect any navigable stream from flood damage extends to the control of tributaries to such streams; that Congress alone is to decide whether any given project, either considered by itself or as part of a comprehensive plan, is justified and should be authorized as having a beneficial effect on interstate commerce; and that the courts cannot question the reasons or the objectives that actuated Congress in voting for a project. It is my opinion that the power of Congress to regulate stream flow of waters that are either navigable in fact or ultimately influence navigable streams through the flow of water into the navigable streams is inseparably connected with and is supported by the interstate commerce clause of the Constitution.

Mr. President, I believe that what I have read is a condensation of the jurisprudence of the United States Supreme Court as I understand them to be. Therefore, in reference to the rights of Colorado or any other State, or of riparian owners in Colorado, Montana, Wyoming, or any other State with respect to navigable waters, as the word "navigable" has been interpreted by the United States Supreme Court, the argument has no application whatsoever to this amendment.

The purpose of the amendment is to protect human life and property. That is all. As the Senator from Missouri in two instances has pointed out, a dam may be operated and maintained so improperly as to constitute a jeopardy to human life and property, and may result in loss and material damage to property. The purpose of the amendment is to vest authority in someone to prevent improperly controlled dams from becoming menaces to the communities in which they are located.

Mr. CLARK of Missouri. Mr. President, this is a committee amendment, and, therefore, I have no authority to modify it. But, in order to meet objections which have been urged, I ask unanimous consent to modify the committee amendment on page 46, in line 2, after the words "United States", by striking out "or across tributaries thereof."

Mr. OVERTON. That would make the language then applicable only to navigable waters.

Mr. CLARK of Missouri. That is correct.

Mr. OVERTON. Or the main stem. Mr. CLARK of Missouri. That is correct.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. AIKEN. I inquire, What is the definition of "navigable waters"? We have been told many times in the past that any stream capable of flowing pulpwood at any time during the year would come within the definition of navigable waters. That would mean practically any stream, whatever its size might be.

Mr. CLARK of Missouri. The term "navigable" has been defined many times.

Mr. AIKEN. I know it has. I am merely asking for information. Is not a navigable stream one which will float pulpwood at any time?

Mr. OVERTON. Mr. President, as I said awhile ago, any stream may be considered to be actually navigable if it may be improved for navigable purposes or flows into streams or influences streams which are navigable.

Mr. AIKEN. So the definition of the term "navigable" would reach up into the creeks.

Mr. OVERTON. Yes.

Mr. AIKEN. The amendment offered by the Senator from Missouri [Mr. CLARK] would not protect a person operating a little sawmill in the hills on a tributary of a navigable stream. In New England there are streams which furnish power for about 6 weeks during the year. I have one in mind which is large enough during the spring run-off to permit the operation of a plant to manufacture sufficient lumber to enable the operation of another small plant during the remainder of the year. There are other small streams which furnish a little power off and on for local industries. They do not permit the employment of any help except the owner of the dam.

Mr. CLARK of Missouri. Mr. President, it seems to me to be far-fetched to suggest that the Corps of Engineers will go around to the operator of such a small sawmill as has been referred to by the Senator from Vermont and hale the operator into court, or that such an example should be taken as an excuse for not preventing tremendous disasters on the main stems of large rivers. It is not my purpose to bring about such results, and I do not believe the proposed amendment is subject to any such construction as the Senator points out. It is not my purpose to interfere with little sawmills, and it is inconceivable to me that the Corps of Engineers would do such a thing, and yet, if a mill were being operated in such a way as to create a menace to the people along the stream below the mill, the mill should be regulated.

Mr. AIKEN. Mr. President, I believe the Senator is correct. I recall that several years ago a prominent official said that the Government authorities had jurisdiction over the land through which small streams flowed. I think that is covering too much territory. However, I was merely seeking information.

Mr. CLARK of Missouri. I will say very frankly to the Senator from Vermont that I am not familiar with local

conditions as to the control of small streams.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Missouri [Mr. CLARK] that the committee amendment on page 46, line 2, after the words "United States", be modified by striking out "or across tributaries thereof"? The Chair hears none, and the committee amendment is modified accordingly.

Mr. CLARK of Missouri. Mr. President, on page 46, line 22, after the word "section", I offer an amendment to insert the following in the committee amendment: "and found to be operating or maintaining a dam in such a manner as to jeopardize the safety of persons or property either above or below such dam."

That language would provide for court review, and I believe it would meet the objection which was heretofore made to summary process.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK] to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the modified committee amendment as amended.

The modified amendment as amended was rejected.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. OVERTON. That disposes of all the committee amendments, does it not, except the committee amendments which are affected by the O'Mahoney amendment?

Mr. O'MAHONEY. Mr. President, the so-called O'Mahoney-Millikin amendment embraces, as the Senator from Louisiana knows, several topics including the Connecticut River Basin. Some objection has been made on behalf of the Senators from Vermont to the work which has been authorized in the State of Vermont, and an effort has been made to reach an understanding between the Senators from Vermont, the representative of the Government, the Senator from Louisiana, and the Army engineers in respect to precisely what can and should be done.

The senior Senator from Vermont [Mr. AUSTIN] was unexpectedly called out of the city on Saturday night by an important law matter to which he is now attending in the State of Vermont. I telephoned to him and he advised me that it is his hope to be here tomorrow morning.

Language has been suggested by the representatives of the Governor of Vermont and the junior Senator from Vermont which seems to me, to the Senator from Colorado [Mr. MILLIKIN], and to others who have been in conference to be quite satisfactory, and I believe the language also is substantially agreeable to the Senator from Louisiana. But it will be necessary for us, I think, to present this matter to the senior Senator

from Vermont. Therefore I feel that the understanding which was reached this morning that this matter should go over should be adhered to, so that when the Senate reassembles tomorrow we ought to be in a position to lay the matter before the Senate and before the Senator from Louisiana.

Mr. OVERTON. Mr. President, it is my understanding, if the Senator will yield to me, that that subsection (b), the provision in reference to the Connecticut River Basin, will be deleted entirely from the O'Mahoney amendment and will come up as a separate and independent amendment either in connection with an amendment proposed by the committee or in some other way. In any event, either Senator or both Senators from Vermont may offer such amendment as they desire, and it will be disposed of as a separate amendment and not connected with the O'Mahoney amendment.

Furthermore, the Senators from Connecticut and the Senators from Massachusetts, who are vitally interested in the Connecticut River Basin, may propose amendments of their own or oppose the amendment suggested by the Senators from Vermont.

What I want to do is to agree with the Senator from Wyoming and the Senator from Colorado and other cosponsors of the O'Mahoney-Millikin amendment on provisions in relation to the Missouri River Basin. The Connecticut River Basin cannot, in my opinion, be handled under subsection (b) and there will never be an agreement so long as subsection (b) is in the O'Mahoney amendment. However, the whole matter of the Connecticut River Basin can be very easily handled independently of the O'Mahoney amendment, and should be so handled, and it can be handled after the elimination of subsection (b) from the O'Mahoney amendment.

Mr. O'MAHONEY. Mr. President, I will say for the information of the Senator and of the Senate that our purpose is to bring about the elimination of subsection (b) from this amendment. Whether it will be desirable to do that by way of treating the Connecticut River Valley altogether separately or as a part of section (a) is a matter which I feel we are under obligation to discuss with the senior Senator from Vermont [Mr. Austin] since we have not had that opportunity.

Mr. WHITE. Mr. President, I ask the Senator from Wyoming if it is the purpose or is it the proposal now to lay this bill, with the thought that all that remains of a controversial nature is the O'Mahoney amendment and other amendments relating to the same general subject matter or proceeding along the same principle as the O'Mahoney amendment.

Mr. O'MAHONEY. So far as I can see I think that these are probably the last controversial items unless it be the amendment offered by the Senator from Montana [Mr. MURRAY] with respect to the Missouri Valley Authority or the amendment of the Senator from Vermont [Mr. Aiken] with respect to the St. Lawrence seaway. I have not been

consulted about the latter amendment, and I do not know what the purpose of the sponsor of the St. Lawrence seaway may be but I think we are coming pretty close to an understanding upon this measure.

Mr. AIKEN. Mr. President, I would not agree to preclude any amendment that might be offered to this bill by any one of the 96 Senators from the floor. There might be other Senators who have amendments to offer to the bill. I do not think that we should accept the idea at this time that we are through with amendments.

As to the St. Lawrence amendment itself, I had intended to wait until all other amendments were disposed of. I do not know really whether it will be offered or not.

Mr. WHITE. The Senator from Vermont wants to know what the condition of the weather is when the other amendments are disposed of?

Mr. AIKEN. The Senator from Maine is exactly correct about that. I want to know what the bill looks like when the time comes to offer the amendment.

Mr. WHITE. If I may have the attention of the distinguished Senator from Louisiana in charge of the bill, as I understand, then, it is the opinion of the distinguished Senator that we can discontinue consideration of the bill for the remainder of the afternoon. Of course, if the bill should be laid aside to take up any other bill it will be with the understanding that it will be laid aside only temporarily, which would mean that the bill could be taken up for consideration the very first thing tomorrow. Is not that so, I will ask the Senator from Louisiana?

Mr. OVERTON. That is correct.

Mr. WHITE. I take it, then, with the further understanding that any Senator may offer other amendments on his own responsibility.

Mr. OVERTON. Certainly.

The Senator from Colorado [Mr. MILLIKIN] has an amendment to which, I understand, there is no objection. It is a modification of a project which is authorized by the bill and that will entail very little if any additional cost. Is that correct?

Mr. MILLIKIN. Mr. President, on Friday I offered that amendment. It is the amendment on page 16 at the end of line 20, and as it is very brief I will read it. It says:

Provided, That the project—

Which is a project on the Purgatoire River designed to make the town of Trinidad safe from floods—

Provided, That the project may be modified to include storage in reservoirs upstream from Trinidad if the Secretary of War and the Chief of Engineers find such action advisable for flood control and in order to make more water readily available for agricultural and industrial uses without impairment of flood control for Trinidad.

The amendment was offered on behalf of the senior Senator from Colorado [Mr. JOHNSON] and myself. It is my understanding that it may be possible to add perhaps a reservoir upstream from Trinidad which will render the project a better flood-control project and at the

same time might admit of some irrigation. I do not understand that the cost will be substantially greater, but if the evolution of the plan should take us into unexpectedly high costs then the matter may be taken up before the Appropriations Committee.

I appreciate the courtesy of the distinguished Senator from Louisiana in not offering any objection to the amendment.

Mr. OVERTON. Modifications are to be left to the discretion of the engineers?

Mr. MILLIKIN. Yes.

Mr. OVERTON. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. MILLIKIN].

The amendment was agreed to.

Mr. MILLIKIN. I present another amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, it is proposed to strike out the period at the end of line 1, insert a colon, and add the following: "*Provided, That the project may be modified to include storage in reservoirs upstream from Trinidad if the Secretary of War and the Chief of Engineers find such action advisable for flood control and in order to make more water readily available for agricultural and industrial uses without impairment of flood control for Trinidad.*"

The amendment was agreed to.

Mr. GURNEY. Mr. President, I have conferred with the Senator from Louisiana about an amendment which I am sure is not controversial. It is of an emergency nature, and I believe this is an opportune time to take it up. I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 40, line 16, it is proposed to add the following:

The sum of \$500,000 additional is authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the construction of emergency protection works to prevent flood damage to highways, bridge approaches, and public works: *Provided, That pending the appropriation of said sum, the Secretary of War may allot from existing flood-control appropriations such sums as may be necessary for the immediate prosecution of such bank protection works; such appropriations to be reimbursed from the appropriation herein authorized when made.*

Mr. GURNEY. Mr. President, in conversations with the Army engineers, it has appeared that there are many projects of an emergency nature which, even in wartime, need some protection work. Because these matters come up when rivers are in flood, they must be handled quickly. If they can be handled quickly, and it is not necessary to wait for an appropriation by Congress, the public works can be protected with an expenditure of a small amount of money.

An emergency fund is in the hands of the Chief of Army Engineers to handle river damage where it affects navigation, but there are no emergency funds for

flood control emergencies. So I asked the Senator from Louisiana if this amendment would meet with his approval, and after he studied it he told me that he had no objection to accepting the amendment. I hope the Senate will accept it at this time.

Mr. OVERTON. Mr. President, the Senator's statement is correct. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. GURNEY].

The amendment was agreed to.

EXTENSION OF STATUTE OF LIMITATIONS IN PEARL HARBOR CASES

Mr. FERGUSON. Mr. President, I ask that the Senate now proceed to consider Senate Joint Resolution 156, Calendar No. 1171.

Mr. HILL. Mr. President, does the Senator ask that the pending bill be temporarily laid aside and that the joint resolution be taken up?

Mr. FERGUSON. That is correct. I understood that the majority leader had no objection to this course. I talked with him last week, at the time I introduced the joint resolution. It is a measure to extend the statute of limitations in relation to the court martials having to do with the Pearl Harbor catastrophe.

Mr. HATCH. Mr. President, the Senator from Michigan has said that he talked with the majority leader. I merely wish to call his attention to the fact that we discussed the matter on the floor of the Senate, and the Senator from Kentucky [Mr. BARKLEY] stated he wanted this joint resolution passed, and asked that it be passed at the earliest possible time.

Mr. FERGUSON. The Senator is correct. The RECORD shows that the Senator from Kentucky stated on the floor that he did want the joint resolution considered and acted upon.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 156) to extend the statute of limitation in certain cases, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That effective as of December 7, 1943, all statutes, resolutions, laws, articles, and regulations, affecting the possible prosecution of any person or persons, military or civil, connected with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, that operate to prevent the court martial, prosecution, trial, or punishment of any person or persons in military or civil capacity, involved in any matter in connection with the Pearl Harbor catastrophe of December 7, 1941, or involved in any other possible or apparent dereliction of duty, or crime or offense against the United States, are hereby extended for a further period of 6 months, in addition to the extensions provided for in Public Law 208, Seventy-eighth Congress, and Public Law 339, Seventy-eighth Congress.

ADDITIONAL JUDGE FOR THE THIRD CIRCUIT

Mr. HILL. Mr. President, it is my intention at this time to ask for a quorum

in order that consent may be obtained to proceed to the consideration of bills on the calendar to which there is no objection, starting where we left off at the last call.

Mr. HATCH. Mr. President, there are two bills which I do not think would come within the call of the calendar the Senator has mentioned, which I have been discussing for several days with the majority and minority leaders, and with Senators from various States, and all are in accord that the bill should be passed, and should be passed quickly. They are bills providing for an additional judge for the third circuit, and removing the restriction which applies to the filling of a vacancy in the eastern district of Pennsylvania. There is another bill which provides for the creation of an additional judgeship in New Jersey. The Judicial Conference, and the leaders on both sides of the Chamber, are agreed as to the desirability of action on those bills, and I should like to have them considered.

Mr. HILL. If the distinguished acting chairman of the Committee on the Judiciary tells me he has consulted with the Senator from Kentucky [Mr. BARKLEY], certainly I have no objection.

Mr. HATCH. Mr. President, I ask for the present consideration of House bill 3750, Calendar 1058.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 3750) to provide for the appointment of an additional circuit judge for the third circuit, and to permit the filling of the first vacancy occurring in the office of district judge for the eastern district of Pennsylvania.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

REMOVAL OF PROHIBITION RELATING TO DISTRICT JUDGESHIP IN NEW JERSEY

Mr. HATCH. Now, Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1169, House bill 3732.

The PRESIDING OFFICER. The bill will be reported by title.

The CHIEF CLERK. A bill (H. R. 3732) to repeal the prohibition against the filling of a vacancy in the office of district judge in the district of New Jersey.

Mr. WHITE. Reserving the right to object for the moment, Mr. President, the Senator from New Mexico has been good enough to speak to me about some bills on the calendar which I thought he was to ask to have considered. He said he had conferred with the Senators from the respective States with respect to the bills, but this measure is something new. May I ask whether the Senator has discussed the bill with the Senators from New Jersey?

Mr. HATCH. Probably the Senator did not remember, but I did mention this specific bill to him. Yes; I have discussed it with both Senators from New Jersey, and they favor the passage of the bill. So far as the amendment is con-

cerned, it is a technical amendment. Unfortunately, in drafting the bill, the wrong section of the statute was referred to, and the amendment corrects that error.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and to insert the following:

That the proviso in subsection (a) of section 2 of the act approved May 24, 1940 (54 Stat. 219; U. S. C. 1940, title 28, sec. 1, note), entitled "An act to provide for the appointment of additional district and circuit judges", be, and it is hereby, amended to read as follows: "(a) *Provided*, That the first vacancy occurring in the office of district judge in each of said districts, except the district of New Jersey, shall not be filled."

SEC. 2. That subsection (d) of the act approved April 28, 1942 (56 Stat. 247, U. S. C. 1940, Supp., title 28, sec. 1, note), is hereby repealed.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Bailey	Gillette	Pepper
Ball	Green	Radcliffe
Bankhead	Guffey	Revercomb
Bilbo	Gurney	Reynolds
Brooks	Hall	Robertson
Buck	Hatch	Russell
Burton	Hayden	Shipstead
Bushfield	Hill	Taft
Butler	Jenner	Thomas, Idaho
Byrd	Johnson, Calif.	Thomas, Okla.
Capper	Johnson, Colo.	Tunnell
Caraway	La Follette	Tydings
Chandler	Langer	Vandenberg
Clark, Idaho	McClellan	Wallgren
Clark, Mo.	McFarland	Walsh, Mass.
Connally	McKellar	Walsh, N. J.
Cordon	Maloney	Weeks
Davis	Maybank	Wheeler
Downey	Millikin	Wherry
Eastland	Murray	White
Ellender	Nye	Willis
Ferguson	O'Daniel	
George	O'Mahoney	

Mr. WHITE. The junior Senator from Wisconsin [Mr. WILEY] was present earlier in the day, but he has been called from the Chamber on official business and is therefore necessarily absent.

The PRESIDING OFFICER. Seventy Senators having answered to their names, a quorum is present.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

THE CALENDAR

Mr. HILL. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning where the last

call left off, which would be Calendar No. 1158.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the bills on the calendar, beginning with Calendar 1158.

BILLS PASSED OVER

The bill (S. 637) to authorize the appropriation of funds to assist the States and Territories in more adequately financing their systems of public education, during emergency, and in reducing the inequalities of educational opportunities through public elementary and secondary schools, was announced as first in order.

SEVERAL SENATORS. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF VETERANS' REGULATIONS

The bill (H. R. 5041) to amend the Veterans' Regulations, was announced as next in order.

Mr. VANDENBERG. Mr. President, may we have an explanation of that bill? If not, let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. VANDENBERG subsequently said: May I ask the Senator from Ohio [Mr. BURTON] if what he has just said in connection with Calendar 1163, House bill 4999, just passed, applies to Calendar 1162, House bill 5041, which I asked to have go over in the absence of an explanation?

Mr. BURTON. Mr. President, Calendar 1164, House bill 86, relates to widows of Civil War veterans who were married to the veterans subsequent to June 26, 1905, which was before World War No. 1. The adjustment provided for in this bill is not the same type of adjustment as is provided by House bill 5041, Calendar 1162. The purpose of House bill 86 is to bring the treatment in line with that given to other widows, but the bill does not relate to veterans of either World War No. 1 or World War No. 2. All three Calendar Nos. 1162, 1163, and 1164 relate to veterans of wars before World War No. 1, and the purpose of Calendar No. 1162 is quite similar to that of Calendar 1163.

Mr. VANDENBERG. Mr. President, I withdraw my objection to the consideration of Calendar 1162, House bill 5041.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

DISABILITY PENSIONS FOR CERTAIN VETERANS

The bill (H. R. 4999) to increase the service-connected disability rates of pensions for certain Regular Establishment veterans and veterans of wars prior to World War No. 1 was announced as next in order.

Mr. TAFT. Mr. President, I should like to have an explanation of that bill.

Mr. BURTON. Mr. President, as a member of the Committee on Pensions, I believe that I can point out the main purpose. It is to correct a situation relat-

ing to the adjustment of disability rates of pensions for certain Regular Establishment veterans and veterans of wars prior to World War No. 1. It deals largely with veterans who have not been injured as a result of combat service, or do not have wartime service-connected disabilities. We recently increased the pensions based on wartime service-connected disabilities, but failed to change the compensation to the so-called peacetime veterans, which always has been on the basis of 75 percent of the wartime service-connected disabilities. This measure reestablishes the same ratio for the two classes of pensions that has existed before. It brings the various rates into line, on the same basis as that previously established.

Mr. VANDENBERG. On what theory was this bill referred to the Committee on Pensions, when pension legislation is ordinarily handled almost exclusively by the Committee on Finance?

Mr. BURTON. That goes back of my own personal experience; but I understand that the Committee on Pensions has handled pension matter relating to veterans of wars before World War No. 1 and World War No. 2.

Mr. VANDENBERG. Then, as I understand, the bill relates entirely to the time preceding World War No. 1.

Mr. BURTON. That is correct.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 4999) to increase the service-connected disability rates of pension for certain Regular Establishment veterans and veterans of wars prior to World War No. 1, was considered, ordered to a third reading, read the third time, and passed.

PENSIONS TO CERTAIN UNREMARIED DEPENDENT WIDOWS OF CIVIL WAR VETERANS

The Senate proceeded to consider the bill (H. R. 86) to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905, which had been reported from the Committee on Pensions with amendments.

The first amendment was, in section 2, on page 2, line 25, after "Administration", to insert "after the date of enactment of this"; on page 3, line 2, after the word "Affairs", to strike out the comma and "but not prior to the date of enactment of this act"; and in line 5, after the word "once", to insert "since the death of the veteran."

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to strike out:

SEC. 3. No agent, attorney, or other person shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for preparing or assisting in the preparation of the necessary papers in the application to the Veterans' Administration for benefits under this act. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive any fee or compensation for such preparation or assistance shall be guilty of a misdemeanor, and each and every offense shall be punishable by a fine of not more than \$500 or imprisonment at

hard labor for not more than 2 years, or by both such fine and imprisonment.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BERTHA L. TATRAULT

The Senate proceeded to consider the bill (S. 1900) for the relief of Bertha L. Tatrault, which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause, and insert:

That jurisdiction is hereby conferred upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claim of the estate of Bertha L. Tatrault, late of Westboro, Mass., against the United States for the death of the said Bertha L. Tatrault, as the result of personal injuries sustained by her when the horse-drawn wagon in which she was riding as a passenger was struck by a United States Coast Guard vehicle on route No. 9, east of Park Street, in Westboro, Mass., on September 7, 1943.

SEC. 2. In the determination of such claim, the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person.

SEC. 3. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill conferring jurisdiction upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claim of the estate of Bertha L. Tatrault."

MARJORIE E. DRAKE AND OTHERS

The Senate proceeded to consider the bill (S. 1740) for the relief of Marjorie E. Drake, Edith Mae Drake, Minnie L. Bickford, and Irene M. Paolini which had been reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert:

That jurisdiction is hereby conferred upon the United States District Court for the District of Massachusetts to hear, determine, and render judgment upon the claims of Marjorie E. Drake, Edith Mae Drake, Minnie L. Bickford, and Irene M. Paolini, all of Westboro, Mass., against the United States for compensation for personal injuries sustained by them when the horse-drawn wagon in which they were riding as passengers was struck by a United States Coast Guard vehicle on Route No. 9, east of Park Street, in Westboro, Mass., on September 7, 1943, and for reimbursement of medical, hospital, and other expenses incurred by them as a result of such injuries.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any acts committed by any

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 29, 1944, for actions of Tuesday, November 28, 1944)

(For staff of the Department only)

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SENATE

1. FLOOD CONTROL. Continued debate on H. R. 4485, the flood-control bill (pp. 8607-23).
Agreed to that part of the O'Mahoney amendment which provides for State participation in planning projects, so as to protect the State interests (pp. 8607-15).
Agreed to several amendments by Sen. Davis, Pa., regarding proposed War Department projects in his State (p. 8623).
Debated that part of the O'Mahoney amendment which restricts the carrying out of several Conn. projects and which, Sen. Maloney (Conn.) said, "would do violence" to that State (pp. 8615-23).
2. CROP INSURANCE. As passed by the House and referred to the Senate Committee on Agriculture and Forestry, H. R. 4911, to amend the Federal Crop Insurance Act, provides for insurance, commencing with the 1945 crop year, on wheat, cotton, and flax crops against loss in yield from unavoidable causes; limits such insurance to 75 percent of average yield, subject to adjustment by the Board further restricting coverage to investment in the crop based on costs, but excluding losses due to negligence of the producer; prohibits a crop-insurance program in any county unless applications are received from at least 50 or 1/3 of the farms of each county but permits insurance on farms bordering such counties; permits, subject to the foregoing provisions, insurance on other agricultural commodities, if sufficient actuarial data are available, in not over 20 counties selected by the Board for a period of not over 3 years, in order to determine the most practical plans, terms, and conditions with respect to such insurance; authorizes the Board to fix premiums and to establish reserves; limits administrative expenses after crop year 1945 to 25 percent of the premiums collected in preceding year; authorizes payments on claims, provided that if claims for payments exceed total premiums plus reserves, such claims shall be paid on a pro rata reduced basis, except that during the first 3 years payments shall not be reduced more than 15 percent of the amount of the approved claim; and permits court action within one year after any claim is denied by FCIC.
3. MISSOURI VALLEY AUTHORITY. Both Houses received the President's message favoring creation of a Missouri Valley Authority as proposed in the Chief of Engineers' and the Bureau of Reclamation's reconciliation report on the subject (pp. 8601-4, 8627).

4. **NOMINATIONS.** Confirmed without objection the nominations of the members of the Office of War Mobilization and Reconversion advisory board which include E. A. O'Neal, James G. Patton, and Albert S. Goss as the agriculture members on the board (p. 8624).

5. **ST. LAWRENCE WATERWAY.** Sen. Aiken, Vt., inserted Grover B. Hill's letter and an Alabama Journal (Montgomery, Ala.) editorial favoring this proposed project (p. 8606).

HOUSE

6. **FARM LABOR APPROPRIATION.** Received from the President a proposal to continue the authority and funds for the operation and administrative expenses of the farm labor supply program through June 30, 1945, (H. Doc. 783) (p. 8657). The present funds and authority expire on December 31, 1944. In his letter to the President, the Director of the Budget Bureau stated that he believes an estimate covering the complete program for the calendar year 1945 should be deferred until the early part of the year and that the provision to continue the present funds is being submitted so as to provide continuity in the program until it is possible to secure legislative consideration of the future program. Hearings before the Deficiency Subcommittee of the House Committee on Appropriations are scheduled for Wednesday, November 29.

7. **WAR POWERS.** Judiciary Committee reported with amendment H. R. 4993, to extend the Second War Powers Act (H. Rept. 1959) (p. 8658).

Rules Committee reported a resolution for consideration of this bill (p. 8655).

8. **PUBLIC-WORKS APPROPRIATION.** Received from the President a supplemental appropriation estimate of \$75,900,000 for advances and loans (through FWA) to encourage the planning of post-war public works by States, counties, and municipalities (H. Doc. 782) (p. 8657).

9. **COCONUT TARIFF.** Ways and Means Committee reported with amendment H. R. 1033, to suspend during the war emergency the tariff on coconuts (H. Rept. 1949) (p. 8658).

10. **DISBURSEMENTS.** Expenditures in the Executive Departments Committee reported without amendment H. R. 5062, authorizing disbursing officers, during the war emergency and for official purposes or to accommodate civilian Government personnel, to cash and negotiate checks and other instruments payable in U.S. and foreign currencies, and to conduct exchange transactions involving U.S. and foreign money, checks, etc. (H. Rept. 1945) (p. 8657).

11. **SMALL BUSINESS.** Rules Committee reported a resolution for consideration of S. 2004, to increase the capital stock of the Smaller War Plants Corporation (p. 8655).

12. **ROAD AUTHORIZATIONS.** Continued debate on this bill, H. R. 4915 (pp. 8629-54). Agreed to the following amendments:

By Rep. Wolcott, Mich., to provide that the "first post-war fiscal year shall be the fiscal year 1945 or as otherwise directed by the Congress" (p. 8632).

By Rep. Randolph, W. Va., to prohibit the requirement that States shall acquire title to any marginal land along the proposed highway in addition

Colonel Keesling recommended that the legislative deferment review committee file authorized Government requests for employees of the legislative branch of the Government who are 30 years of age and over in order to preclude any discrimination against them by freeing the hands of the local boards so that they may classify such legislative employees on the same basis as private employees and employees of the other two branches of the Government. As a part of his recommendation, Colonel Keesling suggested that the committee in filing authorized Government requests in behalf of employees in that age group expressly indicate that the requests are being made solely on the basis of the registrant's being regularly engaged in an activity in support of the national health, safety, or interest, as set forth in the selective-service regulations, and that the committee is making no assertions that the employee is irreplaceable or is engaged in an activity in war production.

After considering these comments and recommendations, the legislative deferment review committee decided that it would file authorized Government requests on a basis similar to that followed by the other two branches of the Government in behalf of employees 30 years of age and over so as to permit Selective Service local boards to classify them on a comparable basis with other registrants.

As chairman of the legislative branch deferment review committee, I am bringing this to the attention of Members of the Senate and of the House of Representatives in order that they may be informed of the committee's action in this regard, and will submit to the committee appropriate information concerning employees on their committees or in their individual offices as a basis upon which the committee may take action. Senators may obtain information from my office, and Members of the House may obtain information from the office of Representative MAY, who is chairman of the House members of the committee.

ADDRESS BY SENATOR CONNALLY AT PRESENTATION OF HUMANITARIAN AWARD TO SECRETARY HULL

[Mr. HATCH asked and obtained leave to have printed in the RECORD the address delivered on November 24, 1944, by Senator CONNALLY on the occasion of the presentation of the Humanitarian Award to Secretary of State Hull by the Variety Clubs of America, which appears in the Appendix.]

PRESENTATION OF HUMANITARIAN AWARD TO THE SECRETARY OF STATE—REMARKS BY EDWARD R. STETTINIUS AND JAMES F. BYRNES, AND LETTER FROM THE PRESIDENT OF THE UNITED STATES

[Mr. WALSH of New Jersey asked and obtained leave to have printed in the RECORD the remarks of the Acting Secretary of State, Hon. Edward R. Stettinius, the remarks of the Honorable James F. Byrnes, and a letter from the President of the United States to Carter Barron, general chairman of the Variety Clubs of America, on the occasion of presentation of the Humanitarian Award to Hon. Cordell Hull, Secretary of State, by the Variety Clubs of America, which appear in the Appendix.]

THE DUMBARTON OAKS PLAN—ARTICLE BY SENATOR CONNALLY

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article on the Dumbarton Oaks plan, written by Senator CONNALLY, and published in the Washington Post of November 26, 1944, which appears in the Appendix.]

THE STETTINIUS APPOINTMENT—ARTICLE IN PM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "The Stettinius Appointment," written by Max Lerner, editor of PM, and published in the issue of PM on November 28, 1944, which appears in the Appendix.]

ST. LAWRENCE RIVER DEVELOPMENT—EDITORIAL FROM CHICAGO DAILY NEWS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "More Conversation?" relating to the St. Lawrence River development, published in the Chicago Daily News of November 20, 1944, which appears in the Appendix.]

DEWEY H. DAVIS

Mr. GEORGE. Mr. President, I ask that the Chair lay before the Senate House bill 3373, for the relief of Dewey H. Davis, and I shall make a brief explanation of it.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read.

The bill (H. R. 3373) for the relief of Dewey H. Davis was read twice by its title.

Mr. GEORGE. Mr. President, on September 21 last the Senate passed a bill for the same amount carried in the bill just read, namely, \$5,000, to compensate the claimant for personal injuries received. It went to the House of Representatives, and the House took no action upon the bill, but on November 21, 60 days later, the House passed an identical bill, so far as the amount was concerned, for the relief of this particular claimant, Dewey H. Davis. I have conferred with the chairman of the Committee on Claims of the Senate, and it is entirely unnecessary to have the bill go to the committee. I therefore ask that the Senate proceed to the present consideration of the House bill.

There being no objection, the bill (H. R. 3373) for the relief of Dewey H. Davis was considered, ordered to a third reading, read the third time, and passed.

LT. JAMES H. CLARK AND ELEANOR CLARK

Mr. ELLENDER. Mr. President, yesterday the Senate passed Senate bill 2098, for the relief of Lt. James H. Clark and Eleanor Clark. On the day it was reported from the Committee on Claims, an identical bill was received from the House and referred to the Committee on Claims.

I ask unanimous consent that the Committee on Claims be discharged from the further consideration of the House bill, H. R. 4929, that it be considered as having been considered, ordered to a third reading, read the third time, and passed, and that the vote on the passage of the

Senate bill be reconsidered and the bill indefinitely postponed.

The PRESIDING OFFICER. Is there objection to the request of the junior Senator from Louisiana? The Chair hears none, and it is so ordered.

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. OVERTON. Mr. President, I presume the regular order of business now is to proceed to the consideration of House bill 4485.

The PRESIDING OFFICER. That is the pending order of business.

Mr. OVERTON. As I understand the situation, we have acted upon all the committee amendments and some other amendments, with the exception of the amendments which are covered by the O'Mahoney amendments. I think, therefore, it would be proper now for the Senator from Wyoming to present his amendments.

Mr. O'MAHONEY. Mr. President, I have already sent to the desk the text of the amendments upon which a group of Senators representing New England and the West have been at work for several months. The subject matter of these amendments was presented in detail to the Committee on Commerce, and the group of Senators who have sponsored the amendments have had numerous conferences with the distinguished and able, and I may say very amicable, Senator from Louisiana [Mr. OVERTON] who is in charge of the pending bill.

The problem which was presented to us, Mr. President, was that of bringing about the coordination in a legislative as well as in an engineering way, so far as this bill is concerned, of the two plans that had been worked out for the Missouri Valley by the engineers and the Bureau of Reclamation, and of obtaining a redeclaration of the historic doctrine of priority of the consumptive uses of water in the States west of the ninety-eighth meridian known as the arid-land States, and finally of securing recognition in the law of the interest and right of States that are affected by flood control or rivers and harbors improvement to have an opportunity to examine the plans and to suggest amendments, if necessary, before any such plans are adopted.

The subject matter has been discussed off and on upon the floor upon numerous occasions, and I think it is pretty well understood by all Members of the Senate, so I shall attempt now merely to explain briefly the purpose of the various amendments.

In the first place, Mr. President, there is a provision, referring to the works of improvement for navigation or flood control which are authorized in this bill, setting forth a policy by which all plans, proposals, or reports of the Chief of Engineers, War Department, which have not heretofore been authorized or are not herein authorized, shall be submitted to the Congress, after preliminary examina-

tion has been made by the affected States through the governors of the States. In other words, this language directs that notice shall be given to the governors of all affected States by the Chief of Engineers.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MALONEY. Has the amendment in its latest form been printed?

Mr. O'MAHONEY. No; it has not been printed. There has been an addition and a change which I was undertaking to describe.

Briefly paragraph (a) of the original amendment therefore was intended to apply to all future projects, and to provide a policy by which such projects should be cooperatively investigated and planned by all of the States and by the departments, the Interior Department and the Army engineers, which might be interested. As originally proposed to the Commerce Committee, the amendment contained provision for substantially this same policy with respect to existing projects, that is to say projects which have already been authorized, but to which some objection has been found by the public authorities of affected States.

The only object of that amendment was to deal with projects contained in this bill or previously authorized to which some objection had been made. It has been found that all the projects in that category, with the exception of the Connecticut River Basin, have been removed from the element of discussion, because the Senators concerned have asked or will ask that they be eliminated from the bill. So that provision no longer appears in this joint amendment.

Mr. MALONEY. Mr. President, will the Senator yield to me again?

Mr. O'MAHONEY. If the Senator will bear with me, I shall cover the entire matter, but of course I shall be very glad to have the Senator interrupt me.

Mr. MALONEY. I was going to suggest to the Senator that, in order that we may mark our copies, I will be grateful if as he goes along he will point out the language he is striking out, and I shall not interrupt him again.

Mr. O'MAHONEY. I shall be very happy to have the Senator interrupt me. The provision in the printed amendment which does not appear in the amendment which is now being offered, is that which is described in the printed amendment as subparagraph (b). It appears beginning in line 21 on page 4, and all of page 5, and on page 6 down to and including line 21. Paragraph (b) has been eliminated altogether.

Paragraph (c) as originally prepared therefore becomes paragraph (b) of the amendment we are now offering, and this is the provision which recognizes the priority of the use of water in the States west of the 98th meridian.

The next provision deals with the plans which may be developed not by the Army engineers but by the Secretary of the Interior in the future, and paragraph (d)—now paragraph (c)—has the effect of submitting the projects devised by the Bureau of Reclamation and the Secretary of the Interior to pre-

cisely the same policy as that to which plans and proposals of the Army engineers are subjected in accordance with paragraph (a) of the amendment.

The bill as reported by the committee contains, on page 5, in lines 8 to 16, a provision authorizing the Secretary of War to sell to States, municipalities, private concerns, and so forth, surplus water. Objection was made to that upon the ground that in the public-land States, according to the constitutions of the States, the acts of admission, the statutes of the States, and the policies of the Congress, as indicated in several laws which Congress has passed, such water does not belong to any individual or any agency, but is the property of the public. In the Western States water is such an important resource in the development of the whole economy that from the very beginning, as these States were admitted to the Union, it was provided that the ownership of the water should be in the public, and should be administered by the State so that water rights could be adjudicated between conflicting claimants.

The amendment contains a modification of the language on page 5, lines 8 to 16. We move that that language be stricken out, and a substitute is provided.

On page 5 of the bill, as reported, beginning in line 25, the committee struck out section 6 altogether, and suggested a committee amendment. The language stricken appears in line 25 on page 5 and lines 1 to 11 on page 6. We are also offering a substitute for that.

A new section, section 9 (a), is offered. It appears on pages 10 and 11 of the printed amendment and authorizes the integrated report on the Missouri Valley Basin, the report to which the President's message referred. Of course, the provision reported by the committee on page 20, lines 5 to 25, inclusive, and on page 21, lines 1 and 2, is stricken out, and the authorization for the coordinated plan is substituted for it.

Finally, Mr. President, there is the amendment which is offered to take care of the Connecticut River Valley. Senators will recall that there is a very important flood-control problem in the Connecticut River Valley. It affects the States of Connecticut and Massachusetts particularly because they are lower-basin States. It affects the State of Vermont very acutely because the State of Vermont is the State in which certain dams and projects to control the floods of the Connecticut River were proposed to be constructed. In other words, the State of Vermont is the State which would be required to surrender the use of arable land in order to create a reservoir to benefit States lower on the stream. The problem has been under consideration for a number of years. There is a New England pact, but the plans which were developed by the Army engineers were not satisfactory to the public authorities of the State of Vermont, and the Senators from Vermont have indicated their objection to those plans.

Subsection (b) as originally proposed would have provided for a review of those plans. The proposed amendment, upon which, as I understand, there has been

complete agreement, reads as follows: On page 10 of the bill—

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. So far as the committee is concerned, there has been no complete agreement with respect to the amendment to which the Senator is presently referring.

Mr. O'MAHONEY. I understood that it was satisfactory to the Senator from Louisiana.

Mr. OVERTON. It is not satisfactory to me. It would be a matter for debate. I will say that the other amendments which the Senator has read up to this point are satisfactory; and while I do not altogether agree with the exact interpretation which the Senator has placed upon them, as to their effect, they are all satisfactory, so far as I am concerned. The other amendment, relating to the Connecticut Valley Authority, is not agreed to.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CLARK of Missouri. Since we are talking about what has been agreed to and what has not been agreed to, if I may interrupt at this time—and I do not wish to interrupt the thread of the Senator's thought—I should like to ask what is the present tenor of the Senator's amendment, which I have not yet had an opportunity to put together, with regard to the Souris basin. I refer to the project for taking water out of the Missouri Valley watershed completely and irrigating 1,000,000 acres of land in Canada. If that is in the amendment I intend to oppose it.

Mr. O'MAHONEY. I will say to the Senator that there is no provision in the coordinated report of the Army Engineers and of the Bureau of Reclamation for the irrigation of any land in Canada.

Mr. CLARK of Missouri. I am not asking the Senator that. I am asking whether it is proposed to divert water from the Missouri Valley watershed into the watershed of the Red River of the North. If that be true, I think it is an infamous proposal, which I shall personally oppose as long as I can.

Mr. O'MAHONEY. The coordinated report of the Army engineers and the Bureau of Reclamation does provide for the diversion of a certain amount of water from the upper Missouri Valley for the irrigation of lands in North Dakota. The provisions of the engineering plans are such that a drainage canal is to be constructed for the purpose of recovering the recoverable supply of water after such irrigation. Some of it would go into the Cheyenne River and into the Red River of the North, as mentioned by the Senator from Missouri; but I am given to understand by the engineers that all of it, or practically all of it, will be used for domestic purposes in the United States, in the State of North Dakota, and that there is no possibility

of the utilization of any of this water for the irrigation of lands in Canada.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHERRY. Would that water, after it had been used for domestic purposes or any other purpose, drain back into the original watershed?

Mr. O'MAHONEY. Some of it would go back into the Missouri. Some of it would go into the Red River and would not go back into the Missouri.

Mr. President, I was about to read the amendment dealing with the Connecticut River Basin. On page 10 of the bill as reported by the committee, it is proposed to strike out lines 3 to 7, inclusive, and insert the following:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont. Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tumblebridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

With that amendment, Mr. President, the section would read as follows, beginning on page 9 of the bill, in line 22:

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin.

The provision I just read would then follow in lieu of the proviso of the committee amendment.

Mr. WEEKS and Mr. DAVIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Wyoming yield; and if so, to whom?

Mr. O'MAHONEY. I yield first to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, let me inquire whether the Senator is offering this amendment to the amendment he has proposed or to the bill itself at the point at which reference is made to the Connecticut River Basin?

Mr. O'MAHONEY. Of course, Mr. President, all of these, being amendments, are amendments offered to the bill itself. From what the Senator from Louisiana said a moment ago, I suppose we may proceed with consideration of these various items. It will be seen that they deal with separate and distinct parts of the bill.

Mr. MALONEY. Mr. President, let me ask a question, if I may do so. It is very important to me, and, I think, to some other Senators, to determine whether we will be voting upon this new proposal as a separate amendment or whether it may become necessary in order to get at it to

propose the entire O'Mahoney amendment.

Mr. O'MAHONEY. Mr. President, for the convenience of the Senate and of those who were working on these bills, this was printed as a whole. When we begin we jump from page 5 to page 6 and then to page 20; and I suggest that in the interest of orderly procedure it might be well for us to take them up as they appear.

Mr. MALONEY. I should like to suggest to the Senator that there is a slight risk, at least, of doing violence to his proposal by including it in the amendment covering projects for the State of Vermont.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. OVERTON. I wish to assure the Senator from Connecticut that there will be a separate vote on the Connecticut River Basin projects. My suggestion will be that section 1 of the O'Mahoney amendment, which has no relation whatsoever to the Connecticut River Basin, be voted on—down to, let us say, subsection (a)—and then we vote on subsection (a), and then on subsection (b), and then on subsection (c).

Mr. MALONEY. Just a moment, Mr. President. As I understand, subsection (b) in the printed form is to be stricken out.

Mr. O'MAHONEY. The Senator was referring to the new subsection (b). What was subsection (c) has now become subsection (b).

Mr. MALONEY. I understand.

Mr. OVERTON. And then the other amendments follow. When we get through with what the Senator has in his hand in the printed form the Connecticut River Basin projects will then come up to be voted upon.

Mr. CLARK of Missouri. Mr. President, will the Senator from Wyoming yield to me, to permit me to ask a question?

Mr. O'MAHONEY. Certainly.

Mr. CLARK of Missouri. Will there be a separate vote on the Souris River project?

Mr. O'MAHONEY. I have no objection to having a separate vote on any particular items which may appear in the bill.

Mr. CLARK of Missouri. The Senator has been reading from a private copy of his own. If the Senator can advise me where in the amendment the Souris River project appears, I should be very much obliged, because it is my intention to vote against the Souris River project and, if it is included in the bill, to vote against the bill.

Mr. O'MAHONEY. I shall be very glad to point that out to the Senator. If one of the pages will hand a printed copy to the Senator from Missouri, he will find the authorization on page 10 of the printed report, beginning in line 7, and going through line 19 on page 11. That is the language which authorizes the integrated report.

Mr. OVERTON. Mr. President, if I may be permitted to make a suggestion to the Senator from Missouri, let me say

that the Souris River question can easily be disposed of in a separate amendment which I presume the Senator from Missouri has in contemplation, and that would be to make another subsection, when we finish the O'Mahoney subsection.

Mr. CLARK of Missouri. I do not wish to interfere with the consideration of this very important matter, of course.

Mr. OVERTON. That subsection would be as follows, in effect: "Nothing herein shall be construed as authorizing a divergence of water from the Missouri River Basin to any other basin."

Mr. CLARK of Missouri. That is exactly what I had in mind.

In other words, Mr. President, if the Senator from Wyoming will permit me to speak for just a moment, the whole controversy, which started with the consideration of the wrong bill, in my opinion, commenced with the consideration of a river and harbor bill. It has had to do with priority of water in the Missouri Valley Basin. Senators from the irrigation States have contended that they were entitled to priority, and Senators from some other States have contended that they were entitled to some water for navigation.

Into an integrated plan which adjusts the differences between the irrigation States and the navigation States, if I may use those terms, there is now injected the proposition of diverting water from one watershed to another. I do not think that should be included in any sort of an agreement.

I am perfectly willing to agree with the irrigation States. I am anxious to compromise their differences. But I say when it comes to navigation, while under this agreement we are yielding to the irrigation States rights which we thought we had, I am not willing to yield them to different watersheds.

Mr. O'MAHONEY. Mr. President, I appreciate the attitude of the Senator from Missouri, and I say to him that he can handle that matter by offering an amendment to section 9 (a).

Mr. AUSTIN rose.

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, as one of the authors of the amendment about which the Senator from Wyoming has been talking, it is my understanding that the paragraph read, relating to page 10 of the bill, is a substitute for paragraph (b) in the amendment which is on the same subject. If it is not, that will make a great difference in my attitude toward the whole amendment.

Senators will notice on page 5 that the Connecticut River Basin is one of the subjects of consideration in paragraph (b), and that the paragraph beginning with line 3 and ending with line 7 relates to modifications of authorizations made years before. These are the subject of the separate amendment which has been read by the Senator from Wyoming.

If it is appropriate for a coauthor of an amendment such as this one, which undertakes to cover territory on both sides of the meridian, to do so, I would

insist upon having this paragraph come in as a substitute for the first paragraph (b) in the amendment. I very strongly desire to have it come in that order of consideration.

I know that the rights of the Senator apply, and I am not running counter to them. But I should like to have this subject considered in its order in the amendment, and not have it put off until after all the rest of the controversy which is being discussed is settled. This is a part of the whole policy, and it should take its place as one in the amendment. I do not like to have special discrimination made with respect to this part of the amendment. I earnestly request the Senator from Wyoming to keep this subject in the same order in which it appears in this joint amendment.

Mr. MALONEY. Mr. President, as one of the Senators hostile to the proposal of the Senator from Vermont, I urge the Senator from Wyoming to accept the suggestion.

Mr. O'MAHONEY. Mr. President, the situation can easily be described, I think. The Senator from Vermont perhaps did not overhear the conversation between the Senator from Louisiana and myself. When I undertook a few moments ago to explain the various amendments, I stated that it was my understanding that there had been substantial agreement between us and the distinguished senior Senator from Louisiana. He immediately took the floor and said that he had not agreed to the provision with respect to the Connecticut River Basin. While he did not agree with some of the things which I had said with respect to other sections of the amendment, he wanted a separate vote upon that particular matter.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Vermont.

Mr. AIKEN. In order to clear the situation somewhat, will the Senator from Wyoming tell us what the Senator from Louisiana did agree to? I understood earlier in the day that he had agreed to an amendment which would take care of the Connecticut River situation.

Mr. O'MAHONEY. That was my understanding.

Mr. AIKEN. The Senator now says that no such agreement was made. I should like to know to what the Senator from Louisiana did agree, and in whose behalf the agreement was made.

Mr. O'MAHONEY. Mr. President, the Senator from Louisiana may speak for himself.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WALSH of Massachusetts. Do I correctly understand that the amendment known as the O'Mahoney amendment deals with a new policy affecting flood control in the future?

Mr. O'MAHONEY. Yes; to the extent that it would grant an opportunity to affected States to participate in the planning of projects before being submitted.

Mr. WALSH of Massachusetts. But the amendment is not intended to apply

to provisions in the pending bill, or to an authorization heretofore made for flood control.

Mr. O'MAHONEY. The original proposal contained two paragraphs, one of which dealt with projects to be planned in the future, and the other with projects already planned and authorized, but with reference to which there was some objection upon the part of affected States. With the exception of the controversy affecting the Connecticut River Valley, all the controversies have apparently been settled.

Mr. WALSH of Massachusetts. Is it not a fact that the proposed amendment is in the nature of a repeal of an authorization already made?

Mr. O'MAHONEY. So far as the Connecticut River basin is concerned, the amendment is in effect a provision for a review of the projects.

Mr. WALSH of Massachusetts. The Senator is correct. In other words, the amendment would prevent the appropriation requested in the pending bill being made to carry out an authorization already determined upon and settled by the Congress.

Mr. O'MAHONEY. Yes; until reviewed on behalf of the State of Vermont.

Mr. WALSH of Massachusetts. Yes. Are there in the pending bill any projects, other than the one referred to, as to which a review would be permitted by the States affected?

Mr. O'MAHONEY. The others have all been taken up.

Mr. WALSH of Massachusetts. So we are now dealing with what I choose to call a new policy, or a new right of States which they have not before had, and at the same time we are seeking to annul action heretofore taken in the case of flood control in the Connecticut River Valley?

Mr. O'MAHONEY. Will the Senator pardon me? I did not clearly understand the last part of his statement.

Mr. WALSH of Massachusetts. While we are proposing to give an additional right to the States to review flood-control projects affecting the area of the States involved, the amendment which the Senator last read, and which relates to the Connecticut River Valley, seeks in fact to provide a review of the only proposal in the bill which is based on a previous authorization.

Mr. O'MAHONEY. No; the Senator is not entirely correct. The amendment deals with certain specified sites in the State of Vermont. It should be pointed out that the authorization, if granted, would affect at least 33 different sites. At least, that is what I have been told. I believe that this amendment deals with only 5 of them.

Mr. WALSH of Massachusetts. As indicated by the Senator's amendment, if the bill, as reported by the committee, were enacted, the flood-control projects in the Connecticut River Valley would proceed without any review of them being made by the States. Is that statement not correct?

Mr. O'MAHONEY. If the amendment should be agreed to—

Mr. WALSH of Massachusetts. It is proposed to prevent the procedure to which I have referred, to nullify the report of the committee, and to subject this one project in the Connecticut River Valley to the review provided for in the general amendment.

Mr. O'MAHONEY. The Senator's statement is too broad, because the amendment deals only with certain dams.

Mr. WALSH of Massachusetts. But they are a part of a larger authorization, and an included authorization which has already been granted by the Congress. Am I not correct?

Mr. O'MAHONEY. Yes.

Mr. WALSH of Massachusetts. In other words, the amendment would nullify a part of a previous authorization by permitting a review with reference to one or two dams?

Mr. O'MAHONEY. Precisely. The amendment provides a modification, but it does not defeat flood control in the Connecticut River Basin because the language provides specifically for the construction of a retention type of dam not to exceed an elevation of 415 feet, Sandy Hook datum.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am very glad to yield.

Mr. MALONEY. I should like to point out to the Senator from Massachusetts that this language would in effect repeal existing law. It would do more than provide for a review. It would provide that if the Governor of the State of Vermont, for example, did not like the situation after a review had been made, we would not be able to obtain the flood control until Congress had again acted upon the matter. So the language would amount to a repeal of the law; that is the language as I last saw it.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. Mr. President, I may say that the purpose of the amendment is to give to the people of Vermont, whose property is to be taken for the benefit of the States bordering on the Connecticut River, an opportunity to be heard in the matter of whether their property should be taken from them, removed from taxation, and destroyed. The reason for the amendment is that the people of Vermont have had no opportunity to be heard. No hearings have been held in connection with the entire situation in Vermont so that the people of that State could be heard. There is one exception to that statement. I believe that one hearing was held in Bellows Falls in 1939. The people of the communities affected do not know whether they are to be flooded out by dams to be constructed for one purpose or another. The purpose of the amendment is to give them an opportunity to be heard and to present their side of the case. They should be given an opportunity to show alternate sites which might be made available for flood control purposes, and to show why their property should not be destroyed. We have not had an op-

portunity to be heard up to the present time.

Mr. MALONEY. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Connecticut has the floor.

Mr. MALONEY. I wish to ask questions, and since the distinguished chairman of the subcommittee is on his feet I shall first ask him whether the people of Vermont have had a chance to be heard.

Mr. OVERTON. The people of Vermont have had an opportunity to be heard.

Mr. MALONEY. Were they heard?

Mr. OVERTON. They were heard before the subcommittee of which I was chairman.

Mr. MALONEY. It seems to me, Mr. President, that the people of Vermont have not only had an opportunity to be heard, but have been heard on more than one occasion. I wish that my State might always have the representation which Vermont, through its two able Senators, has had in connection with this problem.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MALONEY. I am very glad to yield.

Mr. OVERTON. I should like to ask the Senator from Wyoming in what order he is presenting his amendments. I will preface that statement by saying that whatever he has read, or proposes to read, is agreeable to me as contained in the printed amendment as modified.

Mr. O'MAHONEY. Will the Senator permit an interruption?

Mr. MALONEY. Mr. President, I have the floor, and I should like to hear the conversation.

Mr. O'MAHONEY. Mr. President, what I am proposing to do is to safeguard the opportunity of every Member of the Senate to have his say and to have his voice heard. I would not come to the floor of the Senate with any proposal which would deny a Senator such an opportunity. If Senators will be good enough to allow me to proceed, I think they will find that the safeguard which I am proposing will be afforded.

Mr. MALONEY. Mr. President, I am quite willing that the Senator should proceed now and I will yield the floor to him; but before doing so I should like to caution him that, in my judgment, he jeopardizes his own proposal, because this Vermont idea is an entirely new procedure, and, if the proposal prevailed, it would destroy existing law, and in my judgment, if we had another flood it would keep open the flood gates in northern New England and probably create, as it has in the past on more than one occasion, very great damage and loss of life in the States south of Vermont.

Mr. O'MAHONEY. Mr. President, ample opportunity will be afforded to develop that point.

Now let me offer the amendment as now phrased. Mr. President, I offer on behalf of the sponsors an amendment reading as follows:

In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement,

for navigation or flood control, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

Mr. President, I move the adoption of that amendment.

The PRESIDING OFFICER. The question is on the agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. OVERTON. Mr. President, this is merely a declaration of policy. It does not affect the Connecticut River Valley and it does not affect the diversion of water in the Missouri River Basin, which are the only two matters now in controversy.

Mr. CLARK of Missouri. Mr. President, I should like to observe that last week we debated here for a whole day the first paragraph of the bill as reported from the committee, at which time the distinguished Senator from Kentucky, the majority leader [Mr. BARKLEY], and the distinguished junior Senator from Montana [Mr. MURRAY] insisted that that was an effort on the part of this Congress to bind future Congresses, and at which time the Senator from Louisiana and myself insisted that one Congress could not bind the next Congress, and indeed one Congress could not bind itself for a week in the future. I simply desire to observe that I have no objection to the declaration of policy proposed by the distinguished Senator from Wyoming on behalf of himself and a number of his colleagues, but it makes more or less ridiculous the contention of the distinguished Senator from Kentucky that the declaration of policy reported by the committee was an attempt to bind future Congresses.

Mr. O'MAHONEY. Mr. President, the Senator from Missouri perhaps did not hear my reading of the words "as herein authorized." Of course, it is quite true that no Congress can bind a future Congress.

Mr. MALONEY. Mr. President, will the Senator yield.

Mr. O'MAHONEY. I yield.

Mr. MALONEY. The Senator has made a motion that the Senate adopt certain language on pages 1 and 2, and I am assuming that he is going to make separate motions as to various other proposals. Before permitting the Senate to act on this particular one, I should like to ask the Senator one or two questions. Will the Senator tell us whether or not in his judgment this language would change existing law?

Mr. O'MAHONEY. No; I will say it is a declaration of policy.

Mr. MALONEY. Then, I want to ask the Senator this question, if I may:

Does he think that this would give the States any additional power or authority or influence than they have under existing law?

Mr. O'MAHONEY. It is a declaration of policy to recognize the rights of the States—

Mr. MALONEY. I understand that.

Mr. O'MAHONEY. And it is preliminary to paragraph (a) which I shall offer in just a moment, and which does write into law a policy with respect to cooperation in the drafting of plans, which the States do not now have. To that extent it is in addition to existing law.

Mr. MALONEY. So it would change existing law, in the opinion of the Senator?

Mr. O'MAHONEY. That is correct.

Mr. MALONEY. I want to call that statement to the attention of Members of the Senate, because, if I understand the view of the Senator from Wyoming, and his attempt in this instance, this language coupled with language which is to follow, if he is correct, would give the governors of certain States a veto power over flood control.

Mr. President, I have on many occasions stood on the floor of the Senate, oftentimes following the leadership and joining in the effort of the Senator from Wyoming, to protect the rights of the States. I am just as anxious—as anxious, I think, as anyone else could be—to keep the States free, and their rights from final extinction, but I have long since concluded, that we cannot have States' rights to the degree which is desired by the Senator from Wyoming and at the same time have flood control.

I happen to live in a maritime State. What chance have we to protect ourselves against the ravages of floods if a State in northern New England can veto flood-control projects which must be constructed in that tier of States in order to protect our farm lands and our cities and the lives of our people? Such a condition could exist throughout the whole country if the original purpose of the distinguished Senator from Wyoming prevailed. I know that he is acting in all sincerity; I know that there is no more conscientious Member of the Senate than he, but I am fearful that in reaching out to help in the accomplishment of the aims of the distinguished Senator from Vermont he might imperil the seacoast and other States throughout this country, the States which need flood control. I am very hopeful, because he has so readily and sincerely admitted the purpose of this amendment that it will be defeated.

Mr. OVERTON. Mr. President, will the Senator from Wyoming yield to me?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. I should like to assure the Senator from Connecticut and the Senate that there is no provision in the O'Mahoney amendment as presently offered, and as will hereafter be presented, that vests any veto power in the Governor of any State. There is no veto provision in it whatsoever. That has been eliminated entirely.

Mr. MALONEY. I understand; but the Senator from Wyoming just stated, in answer to my question, that this would change the law, if adopted in connection with additional and following language to be inserted in the proposed amendment.

Mr. OVERTON. It does not vest any power of veto in the Governor of any State whatsoever, and when Congress shall have acted upon it it will be final, unless Congress itself should hereafter in its own discretion repeal the law.

Mr. MALONEY. I disagree with the distinguished chairman of the subcommittee, who has worked so hard for this legislation over the years, and for whom I have so much admiration, but I would rather have the word, in this instance, of the Senator from Wyoming as to what the amendment would do, and he has already admitted that it would make a fundamental change in existing policy.

Mr. O'MAHONEY. Mr. President, I did not intend to burden the Senate today with any extended discussion of this amendment, but the statement which has just been made by the Senator from Connecticut impels me to state to the Senate my belief that we are dealing here with one of the most fundamental of all questions which are arising in the United States today. If we believe in the preservation of the rights of individuals to have an opportunity to say what shall be done with their property, with their economic existence, with their very lives, we must find the way to coordinate individual and local rights with these vast projects which are now possible because of the tremendous advance of engineering. I feel very deeply that what we are doing here today coincides with the fundamental philosophy of the Senator from Connecticut. I feel that the Senator is fearful of conditions which are not likely to arise at all.

Let me call the attention of the Senator and the Senate to the fact that there has been a controversy affecting the whole Missouri Valley, involving the Army engineers upon the one hand and the Bureau of Reclamation upon the other. Each one at the outset was fearful that the other was seeking to gain control over activities within the scope of the other.

The Army engineers had a plan for the development of the Missouri Basin. It dealt primarily with navigation and flood control, with incidental power. The Bureau of Reclamation had a plan for the Missouri Valley which dealt primarily with irrigation and reclamation. I felt from the very outset that it would be possible for these two agencies and their engineers to sit down together and to draw a plan by which the waters of that valley could be used to conserve the interests of everybody living in the valley; that it could be developed so as to protect irrigation and reclamation, so as to provide for the development of public power, so as to provide for all feasible and possible and desirable navigation, and so as to provide complete flood control. Finally, Mr. President, at the urging of the President of the United States and at the urging of Members of this body who have been cooperating in this

amendment, the engineers did get together, and they did agree upon a plan.

I say to the Senator from Connecticut that, in my judgment, the people of Connecticut and the people of Massachusetts will find no difficulty whatsoever in working out with the people and the public officials of the State of Vermont a completely feasible plan which will protect flood control in Connecticut and Massachusetts.

Mr. MALONEY. Will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. MALONEY. Let me say, first, that three times we have had fatal floods in Connecticut, and when the Senator from Wyoming suggests that we need not anticipate trouble, I should like to know what creates that feeling in his mind, when we have already on more than one occasion suffered millions upon millions of dollars of property loss and loss of life.

I should like to say further to the Senator from Wyoming, who says that the people should be heard on these important issues, that they are being heard through their Congress; and, so far as the Senate is concerned, the people of Connecticut must be heard through my distinguished colleague the junior Senator from Connecticut [Mr. DANAHY] and myself.

I should like to have the matter handled the way the Senator from Wyoming would do it. The New England Governors had a plan. They tried to create a flood-control compact which would have kept unto themselves the various phases of this program mentioned by the Senator from Wyoming. That, too, was encouraged by the President of the United States, and we went to work and formed a plan; it was a good plan, it came here, and the Senate accepted it. But it went to another body, and it has not been possible to get it out. So, as a representative of the State of Connecticut charged with the responsibility, in this instance, of affording proper protection of the people of my State, I take the only avenue open.

As I have said, I should like to see the matter handled in these other ways, which would afford a preservation and protection of States' rights, but the Congress of the United States has said no. It has laid down a program, it has established a policy, and because this is the only avenue I have, I am going to resist the proposal of the distinguished Senators from Vermont, as they make it through the amendment of the Senator from Wyoming.

I should like to cooperate with Vermont, I should like to see the matter worked out as they would have it. I should like to believe, and I think I do believe, that they could with the Army engineers come to an understanding, that the matter could be rearranged; but it is going to be too late, insofar as my State is concerned, if they erase the existing law, if they deny us the right or deny the Federal Government the right to build these already authorized projects on the streams of Vermont; and that is what this proposal would do.

I can understand the position of those people in Vermont, the comparatively few people who would be affected by the dam which has caused such great consternation. I can quite understand it. Under the existing situation Vermont gets very little, if any, benefit, and I think we should go as far as we can to afford them some benefit for the sacrifices, if there are sacrifices, they are called upon to make. But, Mr. President, if this Vermont amendment prevails, we go back to the last writing of a law on this subject, we take it all out, we destroy any chance for early flood-control work in the Connecticut River Basin, and in my judgment it would be a great mistake, a very great mistake, for the Senate to adopt the proposal.

I should like to see a compromise. I think probably that with the Army engineers, who have latitude, who have a right to make modifications, the people of Vermont might work the matter out, but I hope the Senate will not wipe it out by the adoption of the proposed language.

Mr. OVERTON. Mr. President, there is nothing in the provision which is now before the Senate which in any way modifies the Connecticut River Basin project. It is merely a declaration of policy, and it is a declaration of policy which has been pursued from time immemorial by the Army engineers. It merely declares:

It is hereby declared to be the policy of Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development.

And so forth.

Mr. President, that has always been the policy of the Army engineers, and there is not a Senator on this floor who can point to any project which has ever been recommended by the Army engineers or authorized by the Congress which militates against the policy herein proposed.

Mr. CLARK of Missouri. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. Of course, the Senator from Louisiana realizes that, in its first modified form as offered in the Committee on Commerce by the distinguished Senator from Wyoming [Mr. ROBERTSON], the O'Mahoney amendment—I call it the O'Mahoney amendment, although I understand it was sponsored by a very large number of Senators—did actually contain authority for the Governors of the States at the headwaters of one of these great rivers to prohibit any improvement of any sort at the other end of the river. In other words, in the judgment of the Senator from Louisiana, and in the judgment of myself, it would have permitted the Governor of Montana or the Governor of Wyoming absolutely to prohibit, on his own ipse dixit, an improvement of the jetties at the mouth of the Mississippi

River, and both the Senator from Louisiana and I very violently opposed that.

Mr. OVERTON. And it was eliminated.

Mr. CLARK of Missouri. It was decisively defeated in the committee, and I would not vote for the amendment if that had not been eliminated.

Mr. OVERTON. It has been wholly eliminated.

Mr. CLARK of Missouri. It seems to me the objection raised by the Senator from Connecticut has been met by the correction which has been made. It is a criticism which applies very justly to the first and second versions of the O'Mahoney amendment, but does not apply to the present version.

Mr. OVERTON. It has been completely obliterated, and there exists no right of veto in any Governor.

The next provision submitted by the Senator from Wyoming in subsection (a) also provides for everything that has heretofore been done by the Army engineers, with one exception, and that is, it provides that objections made by the Governor of a State shall be submitted in writing to the Chief of Engineers, and those objections shall be incorporated in any report he submits to the Congress. That is the only change. But the Army engineers have always consulted local interests. They have consulted State agencies on the very inception of a project on up to its final recommendation by the Chief of Engineers.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. The Senator was present I think and heard the Senator from Wyoming say that he felt that the adoption of this language coupled with the language later appearing in the amendment would change the present policy?

Mr. OVERTON. Would suggest a veto power?

Mr. MALONEY. Would change the present flood-control policy of the Government. Did the Senator hear that language?

Mr. OVERTON. No; I did not hear that statement, but I will not question it.

Mr. MALONEY. The Senator from Wyoming, if I correctly understood him, did say that.

Mr. OVERTON. Whether he did or did not, it does not change the policy that has been pursued by our Government and by the Army engineers ever since I have had anything at all to do with flood-control legislation, and that has been about 12 or 13 years. They have always consulted local interests. They never have deprived any State of water that it needs. They have always looked after local uses and they have always consulted local authorities before submitting any report. This language simply puts in form what they have always undertaken to do. Therefore, there is no change of policy and there is not the slightest suggestion of a veto. That has been eliminated entirely from the O'Mahoney amendment.

Mr. MALONEY. I understand that. I felt that was the case, and I so said earlier, but in answer to my inquiry the Senator from Wyoming [Mr. O'MAH-

ONEY], the sponsor and the author of the amendment, disagreed. He said it does change the policy.

Mr. OVERTON. Well, I do not know in what connection it does change it.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. AIKEN. Do I correctly understand the Senator from Louisiana to say that the engineers consult the local authorities before putting dams into their programs?

Mr. OVERTON. They have always done so, so far as I know.

Mr. AIKEN. I wish to say that that may have been true in the Senator's section of the country, but it certainly has not been true in New England. When the Senator from Connecticut stated that the people had a chance to be heard at a hearing, through their Senators, that was perfectly correct, but when they do not have a chance to be heard is when dams are being planned for their communities, and when the first they know about the matter is after the dams are already written into the program. I was Governor of Vermont 4 years, and just once was I ever consulted about any proposed dams. That was when a dam was partly finished, and they wished to modify the contract in some way, and then I had to be consulted. But they did not consult the local people.

I will make one exception. In 1939 they had one hearing at Bellows Falls on the West River Dam when local people were permitted to appear. After that hearing the site of the dam was moved several miles and the local people were not notified about it, they knew nothing about it until they saw the engineers working there taking their soundings in the rock about a year ago. I must say that local authorities are not notified or consulted in any way in my section of the country.

Mr. OVERTON. Does the Senator object then to a provision that does require them to consult the local authorities?

Mr. AIKEN. I think they ought to be required to consult them before a dam is written into the program.

Mr. OVERTON. Very well. That is what this language provides.

Mr. AIKEN. I agree that the people have a chance to be heard through their Members of Congress after the dam is already written into the program, but not before.

Mr. AIKEN. I yield.

Mr. MALONEY. The Senator knows that they do have a chance to be heard before the dam is constructed. The Senator knows that if he notifies the Army engineers that he wants a hearing to be held on any proposed project in any area, the hearing will be arranged.

Mr. AIKEN. But when no one knows that the project is contemplated, how can notice be served that a hearing is desired to be held?

Mr. MALONEY. The Senator can arrange tomorrow, in a blanket request, to have hearings on every project in his State, even though they are yet unborn, simply by sending notice to the Army engineers.

Mr. AIKEN. I am not saying what can be done in the future. I am saying what has been done in the past, and I know that no one has taken a stand more in favor of the local people having a right to be heard than has the Senator from Connecticut.

Mr. MALONEY. That is correct, and they have been heard in my State.

Mr. AIKEN. I should like to quote from a speech made on the Senate floor—

Mr. OVERTON. Mr. President, before the Senator does that, will he yield to me?

Mr. AIKEN. I yield.

Mr. OVERTON. The Senator stated that while he was Governor of Vermont he was never consulted with respect to any project that was being built by the Army engineers. Was there any project of flood control built by the Government while the Senator was Governor of Vermont except a project built by the C. C. C. on the Winooski River?

Mr. AIKEN. Yes; one.

Mr. OVERTON. The Army engineers had nothing to do with the project on the Winooski River. There was no occasion to consult with the Army engineers with respect to that project.

Mr. AIKEN. The Army engineers did plan to construct one dam while I was Governor. The engineers never notified me with respect to it. They never notified any State officials about it until they found they had to relocate the highway, and then they notified the highway department that they would have to move the road. That was the first notification we ever had.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] inserting at the proper place lines 1 to 4, on page 1, down to and including line 13, on page 2, of the printed amendment intended to be proposed by him, setting forth a declaration of policy.

Mr. WALSH of Massachusetts. Mr. President, I wish to make an observation or two in reference to some features of the discussion which has taken place here today. The United States Government can walk into any city in the country, even in peacetime, and take one-quarter or one-half of all its water front for the building of a navy yard, and the local authorities have nothing to say about it. Even in time of peace, and not as a war measure, the United States Government repeatedly goes into communities and takes large portions of those communities for cantonments and for development of Army and Navy stations. It does so both in time of peace and in time of war. I know that in some communities in my State two-thirds of their areas have been confiscated because of the military need of defending our country. Very appropriately has flood control been under the control of the Army, because flood control affects human life. The war against flood is a war inside our own land. It is a war against the destruction of property and the destruction of human life.

The Government cannot take land for a naval base without representatives of the Government appearing before the

Committee on Naval Affairs and having a hearing on the matter. A flood-control project cannot be initiated without the Army engineers holding hearings on the subject. Representatives of the Army engineers come before the committees of Congress, and hearings are held in both the House and the Senate respecting the wisdom and the propriety and the necessity for taking the property in question and damming streams in order to save human life and to promote and protect navigation.

It seems to me that we ought to realize that we are dealing with something perhaps even more vital than the preparation for national defense, that is, preparation for defense of life and property here at home. We ought not to go to extremes because of the fact that a given community has been opposed to a particular dam or is opposing the use of a particular site, which opposition, if successful, would result in thwarting the purpose for which the project is intended, that is, the control of floods and the prevention of the awful damage resulting from floods.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. AIKEN. I should like to ask the Senator from Massachusetts if it is not a fact that the State of Massachusetts and every other State by law gives its consent to the acquisition of land by the Federal Government for post offices, docks, navy yards, and that representatives of the Government come to the Senator's committee to obtain authorization for the money needed for the project, not for authorization to take the land, which has already been granted by the State.

Mr. WALSH of Massachusetts. Under the Constitution the Federal Government has the right to take the land from the States for the purposes enumerated.

Mr. AIKEN. But each State has a law—and I am sure the State of Massachusetts has one—providing that it may grant its consent to the Federal Government to acquire land for the purposes which the Senator has mentioned.

Mr. WALSH of Massachusetts. For defense purposes, that is true.

Mr. AIKEN. Some of the States have in their laws the words "other needful buildings," which, according to the Supreme Court interpretation, may mean almost anything for which the Federal Government may want the land.

Mr. WALSH of Massachusetts. I believe attempts have been made to include dams in the word "buildings."

Mr. AIKEN. That is true.

Mr. WALSH of Massachusetts. The Senator suggested that no hearing was held in Vermont, but he will recall that when he was Governor he and I discussed this same project in an effort to reconcile the various groups in New England.

Mr. AIKEN. If at the time I had been Governor matters had been left to the Senator from Massachusetts and myself, the question would have been settled satisfactorily a long time ago. The State of Vermont would not have suffered any serious damage, and the people of Massachusetts would have had protection.

Mr. WALSH of Massachusetts. I appreciate the compliment.

Mr. WEEKS. Mr. President, it seems to me that some misapprehensions should be cleared up. Some Senators may have gained the impression that this is a new subject, insofar as the Connecticut River Valley is concerned. After the flood of 1927, which was very disastrous in Massachusetts and Connecticut, the engineers began to study methods of alleviating the suffering and loss of life and property occasioned by the floods which for years have been ravaging that valley.

I should like to point out, Mr. President, that in discussing the Connecticut River Valley we are not discussing irrigation or reclamation. We are not discussing power. We are discussing nothing but flood control, as specified in the terms of the bill reported by the committee.

Commencing after the 1927 flood the engineers studied 275 different sites for dams to protect the lower valley of the Connecticut River. They finally settled upon a project involving 20 dams and dykes on the lower river. Those dams would, if erected, take care of 25 percent of the drainage area of the whole Connecticut River Valley, and would take about 6 feet off the peak of the flood in the lower Connecticut Valley. At first the States of New Hampshire, Vermont, Connecticut, and Massachusetts attempted to make a compact, but in 1938, by the act of that year, the United States took over the administration of flood control, and the procedure from that point on was for the Federal Government to take care of flood control in toto. So the compact idea went overboard at that time.

In 1938 this project was established and agreed upon. The project involved 20 dams to take care of flood control in the Connecticut Valley. In effect, the project was reaffirmed in 1941, in the act of that year. So I may say, Mr. President, that for the past 6 years and prior to that time, in all the discussions among the States involved, every one of the four States which I have mentioned, namely, Connecticut, Massachusetts, Vermont, and New Hampshire, has been thoroughly acquainted with the situation and the necessity for doing something. Not only were the State officials acquainted with the problem, but also the people were familiar with it. For 10 or 12 years past we have all been fully acquainted with the situation.

Twice, in the act of 1938 and the act of 1941, a policy was established; and now, as I see it, with respect to the established policy of the Federal Government looking toward adequate flood control in the Connecticut Valley, by this amendment the clock would be turned backward, and in effect we would have to start all over again.

I wish to point out that in an 11-year period we had three disastrous floods, involving great loss of life, and a property loss, direct and indirect, amounting to nearly \$150,000,000. In my judgment any attempt at this time to turn the clock back and to make the States of Massachusetts and Connecticut start all over

again on flood control will be very injurious to a situation which has been so troublous and so disastrous to the people of the lower Connecticut Valley.

Mr. AUSTIN. Mr. President, let me say just a word about the first paragraph of the O'Mahoney amendment. It ought to be adopted, even though it should change the law in reversal, because all it lacks for is the doctrine of cooperation between the Federal Government and the States. If there is any ground upon which we can all unite with respect to the general policy of government in the United States, it is the ground of cooperation. Many times we in Congress are vexed by the fact that two governments exist upon every foot of land in this country. Each State has two governments to obey, and two loyalties to keep. Occasionally those governments are found in conflict; and the conflict comes before us in the Senate to be resolved upon a specific issue. We are troubled by it many times. We are troubled to distinguish between that which belongs to the Federal Government and that which belongs to the State government. Often we become divided, I think without reason, for it is the purpose of every Senator to serve the welfare of the whole. That is the main objective.

The reason why we have insisted upon preserving the Federal system, with State autonomy well protected against encroachment by an ever-growing Central Government, is that we have learned by experience that that type of government has outlived any other type of government in the world, and has been successful in preserving the common welfare. This is the oldest Government in the world, in terms of having existed unchanged for the longest period of time.

Now we are entering upon a very important period of our political history, and both great parties, during the past few years, at least, have declared the purpose not to change from the Federal system into an enormous national system which attempts to cover the whole country by a horizontal obligation.

When we undertake the control of waters, we are immediately confronted by the question to which I have referred, because every great river basin in the United States is different from the others. Among other questions which arise is the question of rights. I do not like to talk about rights; yet we may have to do so before we are through with this debate.

Of course, we must consider the question of the desires of the people, the will of the people. We, with our enormous power, should not override the will of the people in any river basin. If such basins have characteristics which are geological, or otherwise, which make their problem peculiar, should we not give due regard to the wishes of those people in devising our plan for them? Oh, Mr. President, I think that is a perfectly reasonable thing.

All that section 1 does is to write into law, to crystallize it in black and white, that we are about to declare a policy of cooperation between the Federal Government and the State governments on

the subject of flood control. That is all the paragraph does.

The discussion of the Connecticut River Basin and its peculiar problems has not been reached, for the paragraph we are now considering relates to the whole United States, and declares a great principle. When it says, "To facilitate the consideration of projects on a basis of comprehensive and cooperative development," it declares a great principle. It is one upon which we can unite, and we can avoid the appearance of always being in a fight with the Federal Government in order to have a chance to present our view. It is a very uncomfortable thing for me as a Senator to appear in the Committee on Commerce or in a subcommittee of it and to seem to be in opposition to the views of the Army engineers. I should be there co-operating as fully as possible, but I cannot do so when I have never before had a chance to act, because they had not crystallized a plan and submitted it. Until then I cannot act effectively, and your committee cannot do so. Your committee cannot act because it has not had before it the wishes or the views of the people.

I now hold in my hand a design for one of these river valleys comprehending 8 different sites, instead of one, and protecting our friends and neighbors almost as much as the single high dam would protect them. I shall point that out in detail later.

But as for the principle of cooperation, it is wholesome, and we should unanimously adopt the first paragraph.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY] inserting at the proper place the language contained in the printed amendments on page 1, down to and including line 12 on page 2, setting out a declaration of policy.

Mr. WEEKS. Mr. President, I understand that we are about to vote on the first paragraph of the so-called O'Mahoney amendment. Is that correct?

The PRESIDING OFFICER. The vote about to be taken will be on that part of the amendment setting forth a declaration of policy.

Mr. WEEKS. Down to line 13?

The PRESIDING OFFICER. Down to line 12.

The question is on agreeing to that portion of the amendment. [Putting the question.]

As it appears to the Chair, the "ayes" have it.

Mr. O'MAHONEY. Mr. President, I now offer the amendment which appears in the printed amendments, beginning in line 13 on page 2, and including all of page 3, and all of page 4 down to and including line 20. It is what is known as subparagraph (a).

Mr. OVERTON. Mr. President, there is no objection to that amendment.

Mr. MALONEY. Mr. President, I should like to ask a question regarding the amendment. As originally drawn, the entire amendment made provision that the interested parties outside the Federal Government could hold up the

projects until the Federal Government accepted their plan or the matter needed to go back to Congress again. Is there any provision in this language which would enable any State to hold up a project for further action by the Congress?

Mr. O'MAHONEY. Oh, no.

Mr. MALONEY. I thank the Senator.

Mr. O'MAHONEY. We have been very careful about that.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. O'MAHONEY. Mr. President, in view of the fact that the senior Senator from Vermont [Mr. AUSTIN] a moment ago pointed out that the Connecticut River Basin provision is a substitute for what was originally in the O'Mahoney amendment, and in order that the matter may be determined, I now offer the following amendment:

On page 10 of the bill, strike out lines 3 to 7, inclusive, and insert:

"Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont. Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act."

The paragraph (a) to which reference is made in the amendment is the paragraph (a) which has just been adopted.

Mr. MALONEY. Mr. President, I am misled by the words "Sandy Hook." Is the point from which the elevation is measured Sandy Hook, N. Y.?

Mr. O'MAHONEY. I shall ask the Senator from Vermont to explain that.

Mr. AUSTIN. I understand it to be the datum employed by the Army Engineers as the basis of stating the elevation of dams for our neighborhood.

Mr. MALONEY. Is it 415 feet above sea level at Sandy Hook?

Mr. AUSTIN. I do not know that. It is an arbitrary datum.

Mr. AIKEN. I am sure it is.

Mr. O'MAHONEY. Mr. President, that is my understanding. Sea level at Sandy Hook is the base from which elevations are taken.

Mr. MALONEY. Is the reference to Sandy Hook, N. Y.; Sandy Hook, Conn.; Sandy Hook, Vt.; or any other Sandy Hook?

Mr. O'MAHONEY. I assume that Sandy Hook, N. Y., is meant. At any rate, it is a word of art which is understood by the engineers.

The PRESIDING OFFICER. In the view of the fact that the amendment has been read by its author, it will not be read at the desk.

The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Mr. MALONEY. Mr. President, the pending amendment is the one which would do violence to my State, and it might well establish a precedent which would do harm to any other State under similar circumstances. The amendment is a new one. It was never considered by the committee. It came to the Senate only this afternoon. It would upset a program heretofore established. It might wipe out all the projects already planned. In my judgment it would destroy the aim and the effort of the Army engineers and of others who are or who have been affected by the dangers of floods in the lower part of New England.

There may be some Senators who have never seen a serious flood. But I have seen the waters roar in my State. During one of the serious floods there, one was able to go into a leading hotel in Hartford by boat. Millions and millions of dollars' worth of damage was done to the cities of that State. Farms were destroyed. Livestock on the farms was destroyed. Many lives were lost.

The adoption of this language, should another flood come, would permit the roaring waters again to destroy lives and property in the maritime State whence I come.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. WALSH of Massachusetts. Would it not also nullify the \$17,000,000 already spent on flood control by the Federal Government, which is only a small part of the program?

Mr. MALONEY. Mr. President, I do not know whether it would nullify the \$17,000,000, but if a flood the like of which we earlier had should occur, we would be denied the right to build to a proper protective state the work which has already been begun.

I never heard of any part of this proposal before. I am a member of the Committee on Commerce. The subcommittee met for a long time. It seems to me that, quite apart from the many other objections, it is a very unusual request to ask that the States of New England not only stop a program which is well on the way, but be denied the right to continue the program until some future action by the Congress has been taken. I do not know when another flood-control bill will be presented to the Senate. The pending bill involves the expenditure of almost a billion dollars. If the pending bill is passed, and we come to the after-the-way policy, and the natural efforts toward economy which I hope and pray will then be made, it seems to me most unlikely that the Congress will soon undertake to pass another flood-control bill.

I realize that there is always present the possibility that the Congress will pass a separate bill affecting some area of the country. But that is not easy, as Senators know. I beg Senators to believe that, in my knowledge, at least, they would do us and the rest of the country a very great injustice by agreeing to this part of the so-called O'Mahoney amendment.

Mr. President, as I have already said, I want to cooperate with the State of Vermont. My State enjoys a splendid relationship with the State of Vermont in every possible way. The names of many towns in both States are similar because in the early history of Vermont the people of that State adopted the names of many of the towns in Connecticut. Many people from Connecticut moved into Vermont. I believe the original constitution of the State was an adaptation of—

Mr. AUSTIN rose.

Mr. MALONEY. Am I incorrect in my statement?

Mr. AUSTIN. Mr. President, I know what the Senator has in mind. He has in mind the original statutes of the two States. Our constitution was largely influenced by the first Pennsylvania Constitution. But the first statutes of Vermont were passed in the midst of great commotions just preceding the Battle of Bennington, and the men were in such a hurry, because they were all warriors, to rush to Bennington that they passed a resolution substantially as follows:

We adopt the laws set forth in the Connecticut Lawbook, and in defect thereof, the laws of God as set forth in the Holy Bible.

There is a very strong connection, spiritually and in other ways, between Connecticut and Vermont, and I hope this little flurry will not disturb it in any way whatever.

Mr. MALONEY. Mr. President, what the Senator has said was what I was endeavoring to say, but perhaps in a clumsy way. I am very grateful to the distinguished historian, the senior Senator from Vermont, for his assistance.

I should like to point out that the State of Vermont is still represented in a large part, and particularly at this moment, by the kind of warrior who was once hastening off to war at Bennington, and in the interim was willing temporarily to adopt the laws of the State of Connecticut, if protected by the laws of God.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. My colleague, the distinguished senior Senator from Vermont [Mr. AUSTIN], has given the history as we understand it in Vermont. But whenever I go to Connecticut I hear that the people of Vermont met and agreed to abide by the laws of the State of Connecticut and the laws of God until they had time to devise better ones. [Laughter.]

Mr. MALONEY. The Senator is correct, and the people of Vermont are still endeavoring to improve their position, as is evidenced by the work of its two great Senators.

Mr. President, perhaps it is well to have momentary facetiousness during the consideration of a very serious subject such as the one before us. I shall not talk long about it because we have been talking quite a long time about it already.

The issue is clear. The proposal made is easy to understand. The proposal is that the Army engineers shall not undertake to construct the flood-control

projects already planned, and it would wipe out the project of one dam on the West River, the so-called Williamsville Dam. The Army engineers have told us that the construction of that dam is more necessary than is any other project in the program of providing proper flood protection for the lower Connecticut River Valley.

If there were another way to approach the problem, if another avenue were open to us and I, as one Member of the Congress could cooperate, I would be anxious to do so. But all other avenues have been closed.

By the hearings which were held in regard to the matter, the long study made of it, and the consultations had with the people of Vermont, as well as the hearings which were held by Congress in which the people of Vermont were heard, it is evident that the plan already agreed to is the proper one.

As I understand, the real issue is the so-called Williamsville Dam. During the holding of hearings we were told that the project would not only bring about destruction by the inundation of fertile valleys but would necessitate moving a great many people and their properties away from the areas affected. The truth of the matter is, as I have been advised by the Army engineers, that in connection with this particular project, the one which has created the pending controversy, only 70 persons would be involved. Only one small cemetery would be affected. I make that statement on the basis of information furnished me by the Army engineers, supported by the statements of others who made an examination of the proposal.

Mr. President, there has just been handed to me by the distinguished junior Senator from Massachusetts [Mr. WEEKS] a statement which I understand was prepared by the Army engineers. It states the drainage area, how much land would be needed, and about all the additional information which one would need in carefully examining the project. I shall ask that it be printed in the RECORD after I have referred to some of the items contained in it.

The total number of sets of buildings located in a town affected by the Williamsville site amounts to 55.

No churches are involved. There are no commercial buildings involved. There is involved one small industrial establishment. I believe it is a woodworking plant.

There are two small cemeteries. There would be a need—and all of us regret this—to relocate 350 graves. That is serious. There is a great sentimental attachment, almost a reverential attachment, to graves, but on the other hand there are the millions of people in the lower valley who would be endangered by a serious flood.

I understand the town affected, and first shown on this paper, is the town of Harmonyville. There are 70 people in the town of Harmonyville. I think there is a fear on the part of the Senators from Vermont, a fear which I cannot understand as justifiable, that the Army engineers have a broad power, under the existing law, and that they might some time later build a dam at another point.

I ask that the table to which I have referred be printed in the RECORD.

There being no objection the table was ordered to be printed in the RECORD, as follows:

Comparative data, flood-control dams

Designation	Unit	West River, Vt.		
		River mile 5.3, West Dummerston site	River mile 8.3, upper Williamsville site	River mile 10.8, New-fane site
Drainage area.....	Square mile.....	407	400	326
Flood control, storage.....	Acre-feet.....	152,000	149,500	105,000
Spillway crest (flow line—flood-control pool).....	Elevation, mean sea level.	462	478	486
Reservoir area.....	Acres.....	2,770	2,800	2,130
Swampland.....	Acres.....	55	55	155
Urban.....	Acres.....	55	50	145
Pasture.....	Acres.....	165	170	—
Cultivated.....	Acres.....	390	400	—
Agricultural (including pastureland).....	Acres.....	—	—	1,500
Woodland:				
Cut over.....	Acres.....	390	400	—
Not classified.....	Acres.....	—	—	500
Woodland (standing timber).....	Acres.....	1,715	1,725	—
Dwellings (sets of buildings).....	Each.....	81	55	60
Churches.....	Each.....	2	0	—
Schools.....	Each.....	1	0	—
Commercial buildings.....	Each.....	4	1	—
Industrial establishments.....	Each.....	4	1	—
Cemeteries.....	Each.....	4	2	—
Graves (would be relocated).....	Each.....	850	350	350
Population (United States census 1940):				
West Dummerston.....		100	—	—
Harmonyville.....		70	70	70
Total in reservoir area ²		300-350	200-250	1200-250
Total estimated cost.....		\$14,000,000	\$6,280,000	\$4,513,500

¹ Estimated.

² Based on average of 4 persons per dwelling.

³ Includes wide base and provisions for future power.

⁴ As reported in H. Doc. No. 724.

Mr. AUSTIN. Mr. President—
The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator

from Connecticut yield to the Senator from Vermont?

Mr. MALONEY. I yield.

Mr. AUSTIN. If the Senator is about to leave the subject of the number of people affected by a low dam, would he permit an interruption at this point?

Mr. MALONEY. I have always permitted an interruption.

Mr. AUSTIN. I should like to call his attention to the testimony of Mr. Tier, who resides in the valley there. He stated, as appears at page 168 of the hearing in the Senate committee:

Mr. TIER. Mr. Chairman, I would just like to make the correction of an error that I think was made here on the population. This matter of the low dam and the high dam seems to be very confusing to everyone. This estimate that Mr. Bush made was on a high dam. Now, on a low dam, or with any dam, in fact, West Dummerston would be inundated, and there are about 300 people comprising that population. It would affect Newfane, probably not wholly, but there are 850 people there.

Senator CORDON. How many?

Mr. TIER. Eight hundred and fifty. That would not affect the whole village. Brookline would be flooded out—about 150 people. Harmonyville would be flooded out, on either dam—150.

Senator CORDON. What portion of Brookline would be flooded out, would you say? What proportion of the population would be rendered homeless?

Mr. BUSH. On the high dam it would be all gone except one or two.

Senator CORDON. And on the low dam?

Mr. BUSH. On the low dam there would probably be five or six houses left.

Senator CORDON. The low dam then would substantially obliterate it.

Mr. BUSH. Yes.

I thank the Senator for permitting me to put this in at this place.

Mr. MALONEY. I am very glad to have it.

Mr. AIKEN. Mr. President—

Mr. MALONEY. Will the Senator permit me to comment on this matter?

Mr. AIKEN. I was about to make another factual suggestion.

Mr. MALONEY. Please proceed.

Mr. AIKEN. In regard to cemeteries, it appears from the data that there are 6 cemeteries involved, with 1,075 graves. I think probably the Army engineers took the 1 modern cemetery, and very likely forgot to count the old ones, where there are hundreds of graves of pioneers.

Mr. WEEKS. Mr. President, will the Senator from Connecticut yield?

Mr. MALONEY. I yield.

Mr. WEEKS. I think the figures the Senator has just cited are not applicable to the particular dam which the engineers now tell me is going to be constructed if this authorization is provided for, and I think the Senator has the figures pertaining to that dam.

Mr. AIKEN. Mr. President, the trouble is that we do not know from day to day just what kind of a dam the engineers plan to construct, or where they are planning to construct it. That is why we are trying to attach amendments to the bill, so that we will have some knowledge as to what is to be done.

Mr. MALONEY. If the Senator succeeds in having his amendment agreed to, he will not need to seek more knowledge; the whole program will stop.

Mr. AIKEN. I think these figures are for the high dam which I understand the engineers hope eventually to construct.

Mr. MALONEY. As a result of the efforts of the Senators from Vermont, or the people of Vermont, the bill provided, as it came here, that it should be a low dam, and it is written in the law.

Mr. AIKEN. But we have no definition of a low dam.

Mr. MALONEY. I have not, either, but I understood there was a desire on the part of the people of Vermont that that language be included. I think it is the difference between a power dam and a nonpower dam. I had believed they should have made provision in the plans for the future use of the dam for power if the need arose.

Mr. AIKEN. I think the Senator will find that the amount of money requested would provide, even though it were a low dam, for building a base on which it would be possible to add, later, a considerable height to the dam, thus making it a high dam.

Mr. MALONEY. I favor that.

Mr. AIKEN. They would be building it in stages, instead of all at once.

Mr. MALONEY. Yes.

Mr. AIKEN. The effect on the State, though, would be about the same.

Mr. MALONEY. The purpose of that would be, as the Senator so well knows, to provide for power if there were later a need for power, and I think it is pretty wise to go about it in that way.

Mr. AIKEN. Let me ask the Senator now if he is insistent on the prohibition against the development of power at any of these dams in Vermont.

Mr. MALONEY. I did not understand the Senator's question.

Mr. AIKEN. The committee wrote into the bill a strict prohibition against the development of any power at the dams to be constructed on the tributaries of the Connecticut River in Vermont.

Mr. MALONEY. What is the Senator asking me?

Mr. AIKEN. Does the Senator believe it is just to say that the Government is to take our land, take our valleys, and use the storage space to maintain the flow of the Connecticut River down the river for the benefit of the power plants in Massachusetts, and at the same time insert a prohibition saying that we simply cannot generate one horsepower of power at the dams?

Mr. MALONEY. No; I am not in sympathy with that, and I have so stated on many occasions, unless it would seriously interrupt the flood-control program. If it would not impede the effort toward flood control to a very serious extent, I would favor having that language removed from the bill.

Mr. AIKEN. The Senator would trust the Army engineers to see to that, would he not?

Mr. MALONEY. I certainly would.

Mr. President, it has been a long time since I noted that the figures which I used, and the material which I asked to have inserted in the RECORD, which is the only means I have of contradicting the statements of the Senators from Vermont concerning cemeteries and population, were prepared for the Senator from Massachusetts by the Army engineers, and I should dislike to be-

lieve that they are overcareless in the compilation of statistics and figures.

Mr. AUSTIN. Will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. I have not the advantage of the knowledge of the Senator from Massachusetts with respect to the height of the dam contemplated by the engineers in stating these figures. I wonder if he is willing to give us that information.

Mr. MALONEY. I am having this matter put in the RECORD.

Mr. AUSTIN. I know, but does it go in the RECORD as expressing the view of the Army engineers today as to the height of the dam?

Mr. MALONEY. I think this is on the basis of a so-called low dam, as is provided in the bill, but I have no definite knowledge of the height of the dam.

Mr. AUSTIN. That is the trouble with this whole matter.

Mr. MALONEY. This statement is based on a low dam.

Mr. AUSTIN. I understand, but that is one of the troubles with the text of the bill and the text of the existing law, and that is one of the defects we desire to correct. It will not deprive Connecticut or Massachusetts of the protection they should get, and will not delay it. But I shall discuss that in my own time and not hold up the Senator.

Mr. MALONEY. I shall continue to be hopeful that before these projects are constructed, or before construction is started at all, the people of the State of Vermont and the Army engineers will be able to come to a satisfactory understanding. All I am aiming to do here today is to prevent the interruption of a flood-control program in its entirety. I do not care what form it takes so long as it gives us flood control, a proper flood control, or flood-control projects which are reasonably proper. How they come, where they are located, does not interest me one bit. If we can get the same protection by going elsewhere than Williamsville, that is all right with me. I am concerned because an effort is made to stop the whole program, to deny us the right given to all the other States under the bill, to anticipate the further flood-control plans which are contemplated under the language of the existing law. I do not want to permit the destruction of the progress already made. I do not want to see the people of my State or the State of Massachusetts or any other State subjected to the dangers of devastating and roaring floodwaters that are almost certain to come again some time. We have had terrible experiences in recent years. Some of our war plants, plants used for war work, plants engaged in producing materials used later in war, on the banks of this river, suffered great losses. Food so sorely needed by the people all over the world, and particularly by our own people, was destroyed in those floods, and other food might well be destroyed should we have another serious flood. But all this is superfluous. Senators understand all of this as well or better than I do, but I want to emphasize, as I urge their protection to us, what this provision would do to the States of Con-

necticut and Massachusetts, and what it would do to the Connecticut River Valley, as it would do to no other valley in the land. It would stop us where we are, and let us look into the uncertain future, knowing that our hands are tied.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MALONEY. I have finished, but I will be pleased to yield.

Mr. DANAHER. I should like to ask my colleague a question, if he has the bill before him and will turn to page 10, lines 5 to 7. The committee amendment reads:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Supplementing as it does the authorization of a \$30,000,000 appropriation for the comprehensive flood-control program, it would not do violence to the views of my colleague, would it, if the committee amendment were adopted?

Mr. MALONEY. To which committee amendment does the Senator have reference?

Mr. DANAHER. The committee amendment on page 10, lines 5 to 7, inclusive.

Mr. MALONEY. I have no reason to believe that it would do violence to my views.

Mr. DANAHER. I believe the Senator's answer is compelled by the argument which he has offered. With that statement let me offer the following: If we were to adopt the committee amendment, and take in addition the first sentence of the substitute which has been offered by the Senator from Wyoming—and to refresh the Senator's recollection I will read the first sentence from the substitute:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention-type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston and Newfane in the State of Vermont.

If we were to take that sentence, and add it to the committee amendment on page 10 we not only would accomplish the result argued for by my colleague so ably, but we would also protect the State of Vermont according to the assertions which its Senators make on this floor, as I view them. I, therefore, would rephrase the entire committee amendment and modify it to read as follows, and I will ask my colleague's judgment on it:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power: And provided further, That nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam other than a retention-type dam not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the town of Dummerston or Newfane in the State of Vermont.

Let me, then, suggest to my colleague that if the amendment were modified to read as I have just read it, not only could the comprehensive flood-control program go forward without interruption, but it could also go forward without doing violence to the town of Dummer-

ton or Newfane in the State of Vermont. Moreover, it would provide that no dam other than a retention-type dam could be erected which would exceed elevation 415 Sandy Hook datum so far as the State of Vermont is concerned.

Mr. MALONEY. I do not know, I will say to the Senator, what the 415-foot Sandy Hook datum really means. I would have to have the advice of the Army engineers. It has just been called to my attention that the present plan provides for a dam 478 feet high, so there is a difference that might be of great moment in connection with this construction.

Mr. DANAHER. Am I not correct? Will my colleague the Senator from Connecticut yield for a further question?

Mr. MALONEY. I certainly will for as many as my colleague desires.

Mr. DANAHER. I was simply trying to see if we could not resolve the difference between the viewpoint which has been argued by my colleague and that which has been argued by the Senators from Vermont. If we were to agree to the entire substitute offered by the Senator from Wyoming, it is clear that there would be an effective interruption of the accomplishment of comprehensive flood control until plans were submitted to the Congress in accordance with paragraph (a) of the earlier amendment adopted. My colleague, the Senator from Connecticut, is evidently correct in that assertion. I hope that perhaps we could work out a solution of the conflicting viewpoints along the lines I have suggested.

Mr. MALONEY. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. May I make an observation to the Senator's colleague with respect to the remarks he has just made?

Mr. MALONEY. I am glad to yield for that purpose.

Mr. AIKEN. There is one other thing it would accomplish which the Senator did not call to our attention. It would provide that the Federal Government would condemn the land and take the property of our people in the Vermont valleys. It would provide that dams be constructed at Federal expense. It would provide that the State of Vermont could never salvage one cent from the electric energy produced or the cheaper electric power which might be produced there. It would turn over 100 percent of the electric power at these dams in the State of Vermont to the private utility companies of the States of Massachusetts and Connecticut. That is the main thing it would accomplish.

Mr. MALONEY. I should like to say first that I cannot understand the observation that the Federal Government would go into Massachusetts and Connecticut to dispose of power created by the Federal Government in Vermont.

Mr. AIKEN. The Senator knows that for years it has been the dream of the utility companies in the States of Massachusetts and Connecticut to have dams erected in Vermont so they could employ down below the electric power gener-

ated by the increased flow of the Connecticut.

Mr. MALONEY. I do not know that. I am not now ready to believe that that is true. And I am not ready to believe that the Senator is correct in his assertion that the Federal Government would own and build a dam and take power therefrom down into Massachusetts to dispose of it to private companies. That would not be done by this administration, it would not be done by the power authority we have in Washington now. It would not be permitted by the Senate.

Mr. AIKEN. I do not care what administration it is. If those reservoirs are constructed in Vermont and the water is let out in such a way as to maintain the flow of the Connecticut River below, the public utilities in the States of Massachusetts and Connecticut would get 100 percent of the benefit. This amendment would prohibit the State of Vermont from getting 1 cent of value out of the \$56,000,000 which it is proposed to spend on dams in the Connecticut Valley.

Mr. MALONEY. I understand that this language came out of Vermont.

Mr. AIKEN. Before I get through I am going to write into the RECORD the names of every one of the dams there. I will tell the Senate just how much public utilities would profit by the proposal we have before us to prohibit the production of power in Vermont, and to give the Government the unlimited right to construct storage reservoirs there.

Mr. MALONEY. Let the record be clear that the Senator from Connecticut is not opposed to the creation of power in Vermont. The Senator from Connecticut has said that he thought it would be wise, in the construction of these dams, to look into the future, to the possibility of a need for power in that area at a later date; and if we should find a reasonable likelihood of a need for power, these dams should be constructed in such a manner that they may later be used for the creation of power.

Mr. AIKEN. I give the Senator credit for saying that he has no objection to it; but why is there insistence on a proposal against the production of power in Vermont being written into the bill?

Mr. MALONEY. I do not know where the proposal came from.

Mr. AIKEN. I do. It was offered by the Senator from Louisiana [Mr. OVERTON]; and there is nothing anywhere to show that anyone from Vermont asked for it.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. OVERTON. That is an incorrect statement. It was proposed by the senior Senator from Vermont [Mr. AUSTIN] that there be a prohibition against these dams generating power. I am sure the senior Senator from Vermont will admit authorship of the proposal.

Mr. MALONEY. There are many who believe that it would be extravagant to talk about power in connection with some of these little streams.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AIKEN. In view of what the Senator from Louisiana has said, will the Senator from Connecticut permit me to read from the printed hearings?

Mr. MALONEY. Certainly.

Mr. AIKEN. I read from page 193 of the printed hearings:

Senator OVERTON. Well, now, suppose we—I will advance a step forward in my compromise—and this is purely a matter of compromise, of course. I can speak only for myself, but I just want to feel your pulse, as it were, as we go along. Personally I would be in favor—we will eliminate the West River dam. All right; no dams on the West River. And we will remove power generation from all the other dams; we will prohibit the generation of power on all the other dams. How about that?

That is the first time the proposal was made. According to this record, it was not made by anyone from Vermont.

Mr. OVERTON. Mr. President—

Mr. MALONEY. Mr. President, I am anxious to yield the floor, but I yield to the Senator from Louisiana.

Mr. OVERTON. When this question came up the junior Senator from Vermont and the senior Senator from Vermont were present at the hearings. At first there was objection not only to the Williamsville site dam, or the Dummerston Dam, they being one and the same, but there was objection to other dams. Finally we reached the point where there was a rather slight objection to other dams than the Williamsville site dam. The senior Senator from Vermont, in an off-the-record discussion—and possibly some of it is in the record—stated that he desired that no power be generated at any of the Vermont dams.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. Let me add to that a phrase which qualifies it to some extent—except by negotiation with the people of the State, and with their consent. That qualification runs through the whole matter.

Mr. OVERTON. That had escaped my attention.

Mr. AUSTIN. Provided the people consent.

Mr. OVERTON. The senior Senator from Vermont will agree with me that the suggestion that no power be generated at those dams was a suggestion emanating from the senior Senator from Vermont.

Mr. AUSTIN. I think it emanated not from the senior Senator from Vermont but from witnesses, notably Mr. Philip Shutler and the master of the National Grange. I have the testimony, and I intend to call attention to it when I discuss this subject. That is where the question first arose, showing, first, that we must take into account the difference in the burden of cost which arises from a dam built for power, as against a dam built solely for retention in flood control. That was Mr. Shutler's point. He was trying to ascertain whether the damages which had been comprehended in the cost took into account a flood control dam or, on the contrary, a dam erected

for the purpose of permitting at some time the production of electric energy.

That is only one side of it. Along comes the master of the National Grange and points out how little alluvial land there is in Vermont, and how much more damage is created in rendering useless our farms in Vermont by the construction of dams capable of generating power than results from the construction of dams solely for retention, to prevent floods. So far as the master of the Grange was concerned, the whole point was that in those cases the people should have an opportunity to be heard on the question. As the Senator from Louisiana knows, that is the important thing in the mind of the Senator from Vermont. The people should have an opportunity to be heard.

Mr. OVERTON. Mr. President, will the Senator further yield to me? I had not completed my statement.

Mr. MALONEY. I yield to the Senator for the purpose of completing his statement. Then I shall yield the floor.

Mr. OVERTON. Mr. President, I do not know where the idea of no generation of power at the Vermont dams may have originated; but certainly I think the senior Senator from Vermont will agree with me that he was at least an endorser of that proposal.

Mr. AUSTIN. That is correct.

Mr. AIKEN. Mr. President—

Mr. OVERTON. Mr. President, I should like to continue. I have the floor, by the good grace of the Senator from Connecticut [Mr. MALONEY].

Mr. MALONEY. That is true.

Mr. OVERTON. Finally, since the main objection was to the Williamsville site dam, it was suggested that no power be generated at any of the Vermont dams. Personally I do not care whether power is generated at the Vermont dams or not; but since that suggestion had been made, and the senior Senator from Vermont, in whose good judgment I have absolute confidence, was a reliable sponsor, at least, of that proposal, I made the suggestion that we could compromise the difficulty, so far as I was personally concerned, without undertaking to bind the committee, by eliminating the Williamsville site dam entirely, and by a provision that no power should be generated at any of these dams.

That appeared to be acceptable. If the junior Senator from Vermont made any objection, I have no recollection of it. All this took place in his presence. I think he made some slight observation to the effect that he was not altogether certain whether it was agreeable to him to remove the generation of power from these dams.

That, Mr. President, is the sum and substance of the whole story. I thank the Senator from Connecticut.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. WALSH of Massachusetts. Has there not been a policy in the Committee on Commerce to provide for the development of electricity at flood-control dams if it is considered feasible?

Mr. MALONEY. I so understand. I do not know whether or not it could be

called a fixed policy or not. I defer to the Senator from Louisiana.

Mr. WALSH of Massachusetts. If the people of Vermont were really afraid that electricity which might be developed there would be taken away from them, it could easily be provided in the amendment that whatever electricity was developed there should be used in the State of Vermont.

Mr. MALONEY. I do not know whether that would be possible, with the use of Federal funds.

Mr. WALSH of Massachusetts. At least a preference could be provided for.

Mr. MALONEY. Yes. I think so.

Mr. WALSH of Massachusetts. It seems to me that this whole question comes down to a proposal to create a new policy and to prevent the generation of electricity when it can be generated at flood-control dams. So far as I am concerned, I want every dollar spent by the Federal Government on such projects to be used, if it is humanly possible, for the development of electricity and for the sale of it to the people at the lowest possible cost.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. AUSTIN. Let me ask the senior Senator from Massachusetts if he would want to do that entirely at the cost of the homes of the people in our river valley?

Mr. WALSH of Massachusetts. Of course not.

Mr. AUSTIN. I did not think so.

Mr. WALSH of Massachusetts. I am assuming that the Army engineers will recommend the building of a dam primarily for flood-control purposes; but an incidental purpose may be the development of electricity. I think it is a shame that in all this legislation one dam in a particular State should be selected at which no electricity may be developed, when it is the policy of the committee to develop electricity if it can be done.

Mr. AUSTIN. Mr. President, that is not the situation. Already we have struck out of the bill projects which heretofore had been agreed to. We have struck them out entirely.

Mr. WALSH of Massachusetts. Does the Senator mean that projects already agreed to, by which dams are to be built and electricity generated, have been stricken from the bill? Have they been stricken out so that no electricity will be generated?

Mr. AUSTIN. No; they have not been stricken out for that reason. We have stricken out the projects entirely. We are not asking for what the Senator has suggested, certainly.

Mr. WALSH of Massachusetts. The result has been that a new policy has been adopted, if possible to prevent the development of electricity at these dams.

Mr. AUSTIN. No, Mr. President; I do not think that is true.

Mr. WALSH of Massachusetts. That is so in this case, at least.

Mr. AUSTIN. No; I do not think that is true. Heretofore no Senator has had trouble in getting these plans modified on the floor of the Senate. I have heard many Senators arise and move a modification of these plans, and such modi-

fication has been adopted without any trouble.

Mr. MALONEY. Mr. President, I should like to say to the Senator that I think the reason for that in this instance is that the projects are in one State and the flood-control needs are in another. It so happens that Vermont cannot be hurt by floods to the extent that we in the lower valley can.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. Certainly.

Mr. AUSTIN. If we are smaller than Connecticut and smaller than Massachusetts, and if we have a smaller population, yet we are constricted in the area we can occupy. I maintain that it is equally bad, if not worse, to flood us out by artificial means in order to protect Massachusetts and Connecticut. I maintain that it is equally bad, if not worse, to fill our valleys with water and drive our people out of the valleys and perhaps out of the State, because if this plan is carried to its logical conclusion and if every valley is flooded, we shall have nothing left in Vermont but a tracery of mountain tops.

Mr. MALONEY. That would not be a logical conclusion, let me say to the Senator.

Mr. AUSTIN. Let me point out to the Senator that there are to be 20 dams in the whole project. Either 10 or 11 of them are to be in Vermont; I am not certain whether one of them was agreed upon. But certainly 10 of them are to be in Vermont, and on that side of the mountains they take in all the valleys which lead into the Connecticut River. Mr. President, should we not be heard at least on the question of the type of dams?

Mr. MALONEY. Of course, the Senator's State has been heard, and it will have a chance to be heard further.

Mr. AUSTIN. I regret very much to say it was not heard. It is such a curious—

Mr. MALONEY. As I understand, representatives of the Senator's State testified at the hearings on the subject on three occasions, namely, 1938, 1941, and this time.

Mr. WALSH of Massachusetts. The attorney general of the State has been present at all those hearings, every time a matter of flood control affecting Vermont has been before the Congress.

Mr. AUSTIN. Yes; that is to say, with respect to legislation. I am talking about plans in the field.

Mr. MALONEY. I presume that the Army engineers had more consultations with the distinguished junior Senator from Vermont [Mr. AIKEN], when he was Governor of Vermont, than they did with the governors of many other States of the Union.

Mr. AUSTIN. The question was asked whether the people of Vermont favor or oppose the use of these dams for flood control. While that question was being asked there was delivered to me a telegram from a prominent leader of thought in Vermont, who, I think, is well known

to many Senators here, Ralph E. Flanders. His telegram reads as follows:

BOSTON, MASS.,

November 28, 1944—3:48 p. m.

Hon. WARREN E. AUSTIN,

United States Senate,

Washington, D. C.:

I very much hope that in connection with pending legislation you will be able to arrange to protect the inhabitants of the West River Valley. To my mind this is best done by recognizing in legislation the principle that no power project, public or private, should be imposed on a State without its own consent and that flood control should be arranged by negotiation.

RALPH E. FLANDERS.

Mr. President, that is substantially our position.

Mr. MALONEY. I think I could subscribe to that. I am not sure, but I think I could. I believe a flood-control plan should be worked out by cooperation. We have always endeavored to do it that way. That is the policy of the Army engineers and it is the policy of the Congress. But Vermont now says, "You must hear us. You must accept our decision or you cannot have flood-control projects in our State."

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MALONEY. Of course.

Mr. AUSTIN. I wish to have the Senator yield for a friendly observation. Let me say that I promise to try to show that what we ask will not stop the work, will not set back the work, and will not affect the whole plan for the valley, even so far as it relates to Vermont. Only a small part of the project is involved, and that part of it is not likely to be reached even if we do not amend the law before another session of Congress. But, as the Senator has inquired, when will we have another flood-control bill?

Mr. MALONEY. When will we have another flood? That concerns me more.

Mr. AUSTIN. The flood has not yet arrived. We do not wish to have a flood imposed upon us by building a dam around us. That is the main thing. All this protection can be had without flooding us out. I am sure the Senator is for that.

Mr. MALONEY. I am for every bit of cooperation I can give the State of Vermont to the extent that it does not increase the flood dangers in my State.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. MALONEY. I yield the floor.

Mr. WEEKS. The distinguished senior Senator from Vermont [Mr. AUSTIN] has said that in the amendments which have been adopted some projects have been abandoned. The point I should like to make is that we are in the middle of this project which in total involves approximately \$75,000,000—\$45,000,000 has already been authorized and appropriated—\$17,000,000 has been spent in erecting dikes at Hartford and at Springfield. Those dikes have been erected to a height which would be adequate for flood-protection purposes if the dams which are a part of the total project were constructed and put into operation.

Twenty-eight million dollars has also been authorized and appropriated for the

erection of some of the dams among the 20. Three of the dams in the State of Massachusetts have already been constructed.

So, Mr. President, the point I wish to make is that this is not a case of abandoning a project. It is the interruption of the orderly construction of the entire number of 20 dams and the dykes on the lower Connecticut River which go to make up the project as a whole.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming offered as a substitute for lines 3 to 7 on page 10 of the bill.

Mr. CAPPER. Mr. President, I am pleased to have a telegram from Mr. E. K. Dean, president of the Kansas Farmers' Union, with respect to the pending flood-control bill. I ask unanimous consent that it be printed in the RECORD, as a part of the debate on the pending proposed legislation.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SALINA, KANS., November 28, 1944.

Senator ARTHUR CAPPER,

Senate Building:

Our organization is bitterly opposed to the flood control and rivers and harbors bills presently being considered. We abhor the efforts of special interest groups to pass legislation foreclosing the people's rights to full development and use of the vast resources of our valleys. The bills now under consideration will waste vast sums of money in partial development of our river valleys for the protection of and use by special-interest groups. We urge you to use all of your influence to have these bills carried over to the next session of Congress when time will be available to give proper consideration to full development of our valley resources in the interest of all of the people. Will appreciate your inserting this telegram in the CONGRESSIONAL RECORD.

KANSAS FARMERS' UNION,

E. K. DEAN, President.

Mr. AUSTIN. Mr. President, if the amendment is agreed to, this is how the bill, on page 9, line 21, would read as respects the Connecticut River Basin:

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin: *Provided*, That nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane, in the State of Vermont. Plans proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

In order to understand the relationship to the project which has been discussed, I read from the report of the Board of Engineers for Rivers and Harbors dated April 18, 1940, which is designated as House Document No. 724, and is expressly referred to by number in both the acts relating to the project for which appropriations are requested in the amendment before us. I refer to the act of June 28, 1938, and the act of August 18, 1941.

"1." That is a reference number.

Under the heading "Reservoir" appears "Knightville."

Under the heading "Stream" appears "Westfield."

Drainage area in square miles, 164.
Capacity, acre-feet, 39,300.

Flood control, \$2,318,000.

Adaptations for power, \$433,000.

Total flood control plus adaptations, \$2,751,000.

That is No. 1. There are 20 of those items. They comprehend river valleys in the Connecticut River Basin, in Massachusetts, and in Vermont.

Mr. President, I ask unanimous consent to have the remainder of this table printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Reference No.	Reservoir	Stream	Drainage area (square miles)	Capacity (acre-feet)	Costs		
					Flood control	Adaptations for power	Total flood control plus adaptations
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Knightville.....	Westfield.....	164	39,300	\$2,318,000	\$433,000	\$2,751,000
2	West Brookfield.....	Chicopee (Quaboag).....	106	33,900	2,317,000		2,317,000
3	Barre Falls.....	Chicopee (Ware).....	57	24,300	965,000		965,000
4	Tully.....	Millers (Tully).....	50	22,150	665,000	94,000	759,000
5	Bireh Hill.....	Millers.....	175	49,900	3,005,000		3,005,000
6	Honey Hill.....	Ashuelot (South Branch).....	70	26,200	1,935,000		1,935,000
7	Surry Mountain.....	Ashuelot.....	100	32,500	1,620,000		1,620,000
8	Claremont.....	Sugar.....	245	78,400	5,160,000		5,160,000
9	West Canaan.....	Maseoma.....	80	34,100	2,240,000	280,000	2,520,000
10	Sugar Hill.....	Ammonoosuc.....	246	91,600	6,530,000		6,530,000
11	Williamsville.....	West.....	400	150,000	5,960,000	320,000	6,280,000
12	Cambridgeport.....	Saxtons.....	58	21,600	1,975,000		1,975,000
13	Brockway.....	Williams.....	101	32,300	2,944,000		2,944,000
14	North Springfield.....	Black.....	102	33,400	2,018,000		2,018,000
15	Ludlow.....	do.....	56	23,900	1,741,000	459,000	2,200,000
16	North Hartland.....	Ottawaquechee.....	222	71,100	3,630,000		3,630,000
17	South Tunbridge.....	White (First Branch).....	102	32,600	2,275,000		2,275,000
18	Gaysville.....	White.....	220	84,300	4,080,000	705,000	4,785,000
19	Union Village.....	Ompompanoosuc.....	126	30,200	1,944,000	432,000	2,376,000
20	Vietory.....	Passumpsic (Moose).....	66	28,200	1,023,000	392,000	1,415,000
	Total.....		2,752	939,950	54,345,000	3,115,000	57,460,000

¹ Exclusive of drainage area above Ludlow.

Mr. AUSTIN. Of those 20 projects at least 10 are in Vermont, and the proposal before the Senate is to have a review of only the following: Cambridgeport, Ludlow, South Tunbridge, and Gaysville.

Mr. President, I ask Senators to examine them and see what proportion of the entire project they represent, and then answer the question whether this amendment would stop the project of flood control in the Connecticut River Basin.

Cambridgeport is No. 12 on the table.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. Did the Senator from Vermont include the West River dam in his table?

Mr. AUSTIN. Certainly not. I am talking only about those projects which would be held up by the amendment. The West River dam project has been authorized specifically as to height. I believe this is the first time it has appeared in anything about which we in Congress know.

Mr. President, allow me to read the first sentence and then I will return to what I was undertaking to do. This is the part which relates to the West River Dam.

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, not to exceed elevation 415 Sandy Hook datum on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont.

That is all there is on that point. That would not knock out the protection which would be afforded the cities and villages and farm lands lying to the south, so far as the West River Valley is concerned. The dam is higher than the one which has been considered by the local people, which has an elevation of spillway of 410 feet above the datum to which I have referred. We have offered 5 additional feet in order to be on the conservative side.

Mr. MALONEY. Mr. President, may I ask the Senator from Vermont a question?

Mr. AUSTIN. I do not want to get too far away from what I started to prove.

Mr. MALONEY. I merely wanted to ask the Senator how he arrived at the elevation 41, Sandy Hook datum.

Mr. AUSTIN. We arrived at it from the surveys made by our local people in undertaking to find an alternative plan which would protect our good neighbors south of us and not inundate us beyond reason. This project would result in the inundation of some of our buildings, and

we would have to remove houses and people and find places for them elsewhere. But the dam is what I regard as being the lower dam. When we previously discussed the matter, without any figures representing the elevation of the spillway, and speaking of the dam as the low dam, I thought of the dam at 410 feet elevation. The one proposed would have a leeway of 5 additional feet.

Mr. MALONEY. Mr. President, I shall not interrupt the Senator at the present time, but I should like to question him later.

Mr. AUSTIN. Yes; indeed. I am very greatly concerned to have my neighbors from Connecticut and Massachusetts understand our position, because it is of the greatest importance to us to continue the feeling of interest in each other's welfare which we have always had. I consider that far more important than the other questions here involved. I want to be able to discuss the question with them on that basis so that we can come to an understanding instead of pulling apart. There is no other basis on which I wish to discuss the matter.

What I am undertaking to prove is that we are not asking by the proposed amendment to stop the project of flood control in the Connecticut River Basin. We are not attempting to defer anything more than a small part of the project. We are asking only for sufficient deferment to enable us to present our views to the Army engineers. That is all. Ninety days would be sufficient.

Mr. President, I return to what I was undertaking to prove.

Mr. MALONEY. Mr. President, I dislike to interrupt the Senator now, but I am afraid the Senate may misunderstand me if I do not interrupt him. If I correctly understood the Senator, he said that all he asked for was 90 days' delay and that the matter might be adjusted within that length of time. I do not think that would be possible.

Mr. AUSTIN. Let us see. We will not come to that yet, if the Senator will excuse me for trying to finish the point I am making. We will take up the other point later.

Mr. MALONEY. I am sorry I interrupted the Senator.

Mr. AUSTIN. I am claiming that the proposals or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville comprehend relatively small parts of the total Connecticut River Basin projects. I shall start with the first one, Cambridge.

Mr. WEEKS. Mr. President—

Mr. AUSTIN. Will not the Senator let me go on for a brief time?

Mr. WEEKS. I merely desire to comment on that part of the Senator's statement.

Mr. AUSTIN. The Senator may comment later. Let me do what I have started out three times to do.

At Cambridgeport the stream is the Saxtons River. Drainage area, 58 square miles. Capacity, acre-feet, 21,600. Flood control, \$1,975,000. There is nothing allowed there for power.

Total flood control, plus adaptations, \$1,975,000.

Now let us look at Ludlow. Ludlow is the fifteenth item on the Black River. Consider now the area of drainage. Drainage area, square miles, 56. By the way, Mr. President, that is the smallest one of all the 20. Capacity, acre-feet, 23,900. Flood control, \$1,741,000. Adaptations for power, \$459,000. Total, \$2,200,000.

Now we come to South Tunbridge. That is the seventeenth item. It is on White River. First, as to the drainage, the drainage area, in square miles, is 102. Capacity, acre-feet, 32,600. Flood control, \$2,275,000. Nothing for adaptations for power. Total, \$2,275,000.

The last one is Gaysville, on the White River. Drainage area, square miles, 226. Capacity, acre-feet, 84,300. Flood control, \$4,080,000. Adaptation for power, \$705,000. Total, \$4,785,000.

Now, Mr. President, compare those figures to that whole project. The drainage area for the project is 2,752 square miles. The capacity in acre-feet is 939,950. Flood control, \$54,345,000. Adaptations for power, \$3,115,000. Total, flood control, plus adaptations, \$57,460,000.

Mr. President, I am glad to have been able to put these figures into the RECORD tonight, because if anyone cares to examine them overnight before we take up the question tomorrow, he will see how absurdly small the claim is that by postponing so that we can have a chance to consider the question whether these funds for adaptation for flood control should be spent, and especially whether the valley in these particular instances should be flooded the extra amount required to generate electricity, we would be hindering the plan adopted by the Congress for those particular valleys.

Mr. President, it is not necessary for us to make a hard and fast declaration that in every instance we are against the use for generating electricity of these waters which are impounded for flood control. We would not want to take that position. We want to be able to examine each case on its merits, and I know my colleague the junior Senator from Vermont [Mr. AIKEN] takes that position. Is not that so?

Mr. AIKEN. The Senator is correct.

Mr. AUSTIN. Any attempt to drive a wedge between him and me on that point will fail, because I believe we are in agreement on it. Is not that so?

Mr. AIKEN. We can agree on this amendment; in fact, we have been working together on the amendment, and in looking through the report I cannot find any place where my colleague asked for the prohibition on power, as has been stated.

Mr. AUSTIN. I am glad my colleague has called attention to that point.

Mr. AIKEN. Although the figures which my colleague has read are the figures which were submitted last spring, there have been great changes in some of them since they were released last spring, particularly as to the Williamsville site, and changes are still taking place, I find on inquiry of the Army engineers.

Mr. AUSTIN. We are not aware of that; we do not know exactly what the correct figures are. All we know is that they have been sufficiently changed to make this appropriation which comes before us today \$30,000,000.

Mr. AIKEN. For instance, the figures my colleague has read show that the cost of flood control at Williamsville was \$5,960,000, and for adaptation of power \$320,000, or \$6,280,000 in full. It was stated in the committee, as I recall, that the contemplated cost would be about \$29,100,000. I have with me a letter from the Army engineers.

Mr. WEEKS. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. I think the dam which is involved in the \$29,000,000 figures has not been under discussion for some time. Certainly the committee report involves a dam which on the record is to cost \$6,280,000, and I do not think the \$29,000,000 figure has been in the picture for quite a while.

Mr. AIKEN. When I speak in my own time I shall put this letter in the RECORD, showing that the figure "\$6,280,000" has been greatly changed. The letter is signed by Colonel Goethals, so I think it is accurate.

Mr. AUSTIN. Mr. President, I think I am not overemphasizing this point with respect to the question of whether Vermont is unreasonable in asking for this amendment. If Vermont were asking that the entire Connecticut River project should be suspended for the purpose of a review, some people might regard that as a wise thing to do, but that is not the situation, and the complaint made here that that is what we are effecting by the amendment we have offered, that is, holding up the protection of Massachusetts and Connecticut from floods, is not accurate. That is what I want my colleagues to understand. Therefore, I call attention to the relative importance of these valleys, protection of which would be postponed long enough for a review.

Here is No. 12, Cambridgeport, drainage area square miles 58. Comparing 58 square miles with the total, 2,752 square miles, it can be seen how utterly ridiculous it is to take the position that this provision would tie up the whole project.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. MALONEY. I am very sorry I was called from the Chamber and did not hear the Senator's statement, and I am even more sorry, for my sake, that I have been called from the Chamber again. I should like to ask the Senator a question at this point which he might consider overnight.

Mr. AUSTIN. Yes.

Mr. MALONEY. Was the name "Williamsville" left out of the first sentence of the proposed amendment by error?

Mr. AUSTIN. No; I do not think so. Williamsville is on the West River.

Mr. MALONEY. Yes. I will tell the Senator what I mean. The first sentence reads as follows:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a retention type dam, * * * on the main

stream of the West River, in the towns of Dummerston or Newfane in the State of Vermont.

I was wondering if the Senator would be willing to add the town of Williamsville there?

Mr. AUSTIN. There is not any town of Williamsville. I think Williamsville is a station.

Mr. MALONEY. Is it in one of those two towns?

Mr. AUSTIN. It is in one of those two towns.

Mr. MALONEY. It would be agreeable to me if we could have that understanding. Then I was wondering if the Senator would be willing to change the dam height from 415 to 478 feet, or the figure for a low dam given by the Army engineers.

Mr. AUSTIN. I will consult those who are here from Vermont representing the State government and who have knowledge of technical matters which I do not have.

Mr. MALONEY. If the Senator would be willing to consider those two features, the inclusion of the town of Williamsville, unless it is in the town of Dummerston or the town of Newfane, and the modification or the change in the figures of the height of the dam from 415 to 478 feet as the low dam height, I think there is a strong likelihood that we might be able to reach an agreement.

Mr. AUSTIN. Then, Mr. President, might I save energy by suspending at this point so as to consult with people who can advise me in answer to this proposition, and so far as I have any privilege to reclaim the floor in the morning I should like to save that privilege.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator ask that he be given the floor tomorrow when the Senate convenes?

Mr. AUSTIN. Yes; if I can obtain unanimous consent.

Mr. O'MAHONEY. Mr. President, would there be any objection if we were to proceed with some of the other features of the amendment?

Mr. AUSTIN. Tonight?

Mr. O'MAHONEY. Yes.

Mr. AUSTIN. I have no objection at all. My last statement was provoked by my good friend the Senator from Connecticut [Mr. MALONEY] suggesting a compromise which may be accepted. It all depends on whether this height of dam is within reason or not and within the principle of getting the maximum amount of control of floodwaters at the minimum amount of damage to the people in the valley.

Mr. O'MAHONEY. Then, Mr. President, let me say that there are—

Mr. WHITE. Mr. President, will the Senator from Wyoming yield to me before he proceeds further?

Mr. O'MAHONEY. Surely.

Mr. WHITE. I hope the Senator from Wyoming will not urge that the Senate proceed at this hour to other matters. In the first place I think it is unfortunate to have new matter projected into the middle of a talk by the Senator from Vermont. But beyond that, it is now after 5 o'clock. There is but a hand-

ful of Senators present. It would be difficult in the extreme to get many more here, and I understand further that the acting majority leader, the Senator from Alabama [Mr. HILL], has other matters that he would like to dispose of this evening.

Mr. O'MAHONEY. Mr. President, the only reason I made the suggestion was that there are some items which are altogether noncontroversial.

Mr. WHITE. I never yet have been able to make certain what was noncontroversial and what was controversial.

Mr. O'MAHONEY. Those matters on which the Senator from Maine and I agree are noncontroversial.

Mr. WHITE. In other words, the matters upon which we agree are right.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I do not have the floor. I simply rose to make a suggestion.

Mr. CLARK of Missouri. Well, whoever has the floor is requested to yield. The Souris River Valley project, the diversion of water from one watershed to another, represents a highly controversial proposal. I am not disposed to interfere with consideration of noncontroversial portions of the Senator's amendment, but I do not wish any agreement to be made which would preclude me from offering an amendment which would prohibit such a diversion.

Mr. O'MAHONEY. I would not think of doing such a thing.

Mr. CLARK of Missouri. I am sure the Senator would not.

Mr. OVERTON. Mr. President, the senior Senator from Pennsylvania [Mr. DAVIS] wishes to offer several amendments on behalf of himself and the junior Senator from Pennsylvania, which are not controversial. The senior Senator from Pennsylvania has been waiting here all day for an opportunity to dispose of the amendments. Also the Senator from Iowa [Mr. GILLETTE] has an amendment which is not at all controversial. The amendments I mentioned can be considered and agreed to quickly, I am sure. The Senators I have referred to would like to be accommodated in this respect, and I should be very happy to accommodate them.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. OVERTON. I yield to the Senator from Pennsylvania to offer the amendments.

Mr. DAVIS. Mr. President, on behalf of the junior Senator from Pennsylvania [Mr. GUFFEY] and myself I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 11, it is proposed to strike out lines 19 to 24 inclusive, and on page 12 it is proposed to strike out lines 1 and 2.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. I take it there is no controversy between the distinguished junior Senator from Pennsylvania and the senior Senator from Pennsylvania with respect to this amendment.

Mr. DAVIS. No, Mr. President. Both the junior Senator from Pennsylvania and I have agreed on this and three other amendments I am about to offer.

Mr. HILL. Mr. President, I take it from a rather hasty examination of the amendments that they relate simply to projects affecting the State of Pennsylvania?

Mr. DAVIS. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Pennsylvania on behalf of himself and the junior Senator from Pennsylvania [Mr. GUFFEY].

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment offered by the senior Senator from Pennsylvania on behalf of himself and his colleague will be stated.

The LEGISLATIVE CLERK. On page 26, it is proposed to strike out lines 16 to 20 inclusive.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from Pennsylvania on behalf of himself and his colleague.

The LEGISLATIVE CLERK. On page 38, following line 22, it is proposed to insert: "Juniata River and tributaries, Pennsylvania, with special reference to the proposed Raystown Reservoir."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment offered by the Senator from Pennsylvania on behalf of himself and his colleague.

The LEGISLATIVE CLERK. On page 39, following line 13 it is proposed to insert "Youghiogheny River Basin, Pa. and Md."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERTON. Mr. President, on behalf of the Senator from Iowa [Mr. GILLETTE] I offer an amendment which is not objectionable, and which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 17, after line 13, it is proposed to add the following: "Provided, That the elevation of the crest of the spillway of the dam shall not exceed 780 feet above mean sea level."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LANGER. Mr. President, I should like to ask the Senator from Vermont a question. Are lines 5 to 7, inclusive, on page 10, included in the Senator's amendment, or are they eliminated?

Mr. AUSTIN. Mr. President, that is a very important question. The effect of this amendment, as now presented, is to do exactly the same thing that is called for in my original amendment, but the

finger is pointed at the precise river valleys, instead of covering everything generally. It is pointed right at the valleys that are named in the amendment. Notice this language:

Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tumblebridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

Section (a) was adopted by the Senate just before we took up this amendment. It provides for notice to the State authorities of the modifications to be made. There was a big blanket of modifications to be made in the discretion of the Secretary of War and the Chief of Engineers. We not only vested the Federal Government with complete control, but we named the men who should be able, in their discretion, tomorrow to modify the plans agreed upon in Congress. This language eliminates that power. In effect, it provides that that general authority is now taken care of by us. We say that any modification heretofore made shall come under section (a).

Mr. LANGER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. LANGER. Does it or does it not strike out lines 5 to 7 on page 10 of the bill?

Mr. AUSTIN. As I understand, it does.

Mr. LANGER. In order to make it clear, let me read it:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Mr. AUSTIN. I had not caught the point of the Senator's question. I do not believe it strikes out that language. I do not think it could, that being a committee amendment.

Mr. AIKEN. Is there any objection to withdrawing the committee amendment?

Mr. O'MAHONEY. That is for the committee to do.

Mr. AIKEN. That would go a long way toward straightening things out.

Mr. O'MAHONEY. Mr. President, I am sure if the Senator from Louisiana [Mr. OVERTON] were consulted about it, he would have no objections to the elimination of the committee amendment; but I am not the one to speak for the committee, of course.

Mr. CLARK of Missouri. Mr. President, I object to the elimination of the committee amendment until we find out what is going in in its place. I am perfectly willing to agree on the compromise when we know what the compromise is. As a member of the committee, I certainly object to the elimination of the committee amendment until we know what is to take its place.

CONTINUATION OF GENERAL MARSHALL AS CHIEF OF STAFF

Mr. GURNEY. Mr. President, it is my understanding that the pending business, the flood-control bill, is being passed over until tomorrow. I intend to ask unanimous consent for the consideration of a bill passed by the House yesterday. An identical bill was approved by the Senate Committee on Military Affairs last Friday and is now on the Senate Calendar. It would allow the retention of General Marshall as Chief of Staff of the Army. I refer to Senate bill 2192, Calendar No. 1210. The Senate Military Affairs Committee reported a bill in the identical language of the measure passed by the House. So I ask unanimous consent that House bill 5493 be substituted for Calendar 1210, Senate bill 2192, and that the House bill be now considered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota?

Mr. HILL. Mr. President, will the Senator yield?

Mr. GURNEY. I yield.

Mr. HILL. Of course, the Senator is asking that the flood-control bill, the pending business, be temporarily laid aside, and that the Senate consider the House bill to which he has referred?

Mr. GURNEY. I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to consider House bill 5493; also that Senate bill 2192 be indefinitely postponed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Dakota? The Chair hears none.

The Chair lays before the Senate a bill coming over from the House of Representatives, which will be read.

The bill (H. R. 5493) to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That neither the provisions of the act of June 30, 1882 (22 Stat. 118), which require the retirement of an officer on the active list of the Regular Army upon attaining the age of 64 years, nor any other similar provisions of law, shall for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, be applicable to any officer on the active list of the Regular Army who, prior to the enactment of this act, has served as Chief of Staff during the wars in which the United States is now engaged.

The bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 2192 will be indefinitely postponed.

RIVER AND HARBOR IMPROVEMENTS

Mr. CONNALLY. Mr. President, I submit two amendments to the river and harbor bill, and ask that they be printed and lie on the table.

The PRESIDING OFFICER. The amendments will be printed and lie on the table.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WHEELER, from the Committee on Interstate Commerce:

George M. Barnard, of Indiana, to be an Interstate Commerce Commissioner for the remainder of the term expiring December 31, 1950, vice Joseph B. Eastman, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:
Sundry postmasters.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). If there be no further reports of committees, the clerk will state the nominations on the Calendar.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. HILL. Mr. President, as I understand, under the agreement those nominations will be passed over.

The PRESIDING OFFICER. Without objection, the Army nominations will be passed over.

OFFICE OF WAR MOBILIZATION AND RECONVERSION—ADVISORY BOARD

The legislative clerk proceeded to read sundry nomination of members of the Advisory Board in the Office of War Mobilization and Reconversion.

The PRESIDING OFFICER. Without objection, the nominations in the Office of War Mobilization and Reconversion are confirmed en bloc.

THE JUDICIARY

The legislative clerk read the nomination of Joseph W. Kehoe to be United States district judge for Division No. 2 of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Gerald A. Gleeson to be United States attorney for the eastern district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Steve M. King to be United States attorney for the eastern district of Texas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Jordan B. Royall to be United States marshal for the northern district of Florida.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That completes the calendar.

Mr. HILL. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. TAFT. Mr. President, have all the nominations on the executive calendar been confirmed?

Mr. HILL. With the exception of those in the Army. They went over.

The PRESIDING OFFICER. That is correct.

RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 17 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 29, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 28 (legislative day of November 21), 1944:

DISTRICT OF COLUMBIA

Guy Mason to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

MEMBERS OF THE ADVISORY BOARD

Public members

O. Max Gardner
William H. Davis
Anna M. Rosenberg

Labor members

William Green
Philip Murray
T. C. Cashen

Agriculture members

Edward A. O'Neal
James G. Patton
Albert S. Goss

Industry members

Eric A. Johnston
George H. Mead
Nathaniel Dyke, Jr.

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Joseph W. Kehoe to be United States district judge for division No. 2 of Alaska.

UNITED STATES ATTORNEYS

Gerald A. Gleeson to be United States attorney for the eastern district of Pennsylvania.

Steve M. King to be United States attorney for the eastern district of Texas.

UNITED STATES MARSHAL

Jordan B. Royall to be United States marshal for the northern district of Florida.

IN THE MARINE CORPS

PROMOTIONS, FOR TEMPORARY SERVICE

To be major generals, for temporary service, from dates indicated

Earl C. Long, from January 7, 1944.
Pedro del Valle, from January 10, 1944.
Louis E. Woods, from September 10, 1944.
Field Harris, from September 10, 1944.

200.
28.

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued November 30, 1944, for actions of Wednesday, November 29, 1944)

(For staff of the Department only)

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HOUSE

1. ROAD AUTHORIZATIONS. Passed S. 2105, the road-authorizations bill, with the language of H. R. 4915 as amended (pp. 8691-707).

Agreed to the following additional amendments before passing the Senate bill:

By Rep. Wolcott, Mich., to provide for deduction of advances of funds to any State, for expeditious project completion, from the succeeding year's apportionment (p. 8698).

By Rep. Sauthoff, Wis., to prohibit advance payments to any State if such State has diverted motor-vehicle revenues intended for highway purposes to other uses (p. 8698).

By Rep. Abernethy, Miss., to increase the authorization for national-park roads and trails from \$15,000,000 to \$30,000,000 (pp. 8699-701).

By Rep. Case, S. Dak., to authorize \$8,000,000 annually for Indian reservation roads (pp. 8701-2).

By Rep. Randolph, W. Va., to strike out Sec. 11, providing for aircraft flight strips adjacent to public highways (p. 8702).

Rejected the following amendments:

By Rep. Gillie, Ind., to authorize the use of funds under this act for the rerouting, etc., of railway tracks when a State Highway Commission deems it to be in the public interest (pp. 8693-6).

By Rep. Beall, Md., to authorize use of 50% of State apportionment for the construction of toll roads (p. 8697).

By Rep. Hope, Kans., to increase the authorization for forest-development roads from \$12,500,000 to \$25,000,000 (pp. 8698-9).

By Rep. Welch, Calif., to provide for "the building of roads in defense areas" (pp. 8704-7).

By Rep. Miller, Conn., to strike out Sec. 12, requiring State and PRA approval of the signs installed or placed by any public authority (pp. 8705-7).

By Rep. Gifford, Pa., to provide for approval of the State and PRA of any signs placed "adjacent to" highways (p. 8707).

Rep. Stewart's amendment to increase the Federal share from 60% to 75% was ruled out on a point of order by Rep. Wolcott, Mich. (pp. 8696-7). Rep.

Wolcott, in reply to Rep. Harris, Ark., stated that the provision in his amendment which was agreed to November 28, to provide that the "first post-war fiscal year shall be the fiscal year 1945," could be worked out by the conferees (p. 8691).

2. WAR POWERS. Agreed to the resolution providing for consideration of H. R. 4993, to extend the Second War Powers Act (pp. 8709-10).

This bill (see Digest 164) extends until not later than December 31, 1945, the following titles of the Second War Powers Act:

- I, emergency ICC powers over motor and water carriers;
- II, acquisition and disposition of property;
- III, priorities powers;
- IV, purchase of Government obligations by the Federal Reserve banks;
- V, waiver of navigation and inspection laws;
- VI, power to requisition;
- VII, political activity;
- IX, free postage for members of armed forces;
- XI, acceptance of conditional gifts to further the war program; and
- XIV, utilization of vital war information.

The bill amends Title III so as to provide for judicial review of suspension orders by the U. S. district court for the district in which the petitioner has his principal place of business.

The bill does not extend the following titles of the Act:

- VIII, protection of war industries and protection of resources subject to forest fire hazards;
- X, naturalization of members of the armed forces;
- XII, coinage of 5-cent pieces;
- XIII, inspection and audit of war contractors.

SENATE

3. ST. LAWRENCE SEAWAY. Sen. Capper, Kans., inserted telegrams from the Southwestern Interstate Coal Operators Assn. and the United Mine Workers of Kansas and Missouri opposing the proposed St. Lawrence waterway project (p. 8661).

Sen. Aiken, Vt., discussed Cordell Hull's work on behalf of the St. Lawrence waterway (pp. 8683-6).

4. VETERANS; PERSONNEL. Passed as reported H. R. 5386, to change the period from 40 days to 90 days during which a veteran may make application for the job which he held at the time of his induction; and to provide that if hospitalized for not more than a year following his discharge, the 90-day time shall not begin to run until the termination of his hospitalization (p. 8688).

5. BANKING AND CURRENCY. Passed as reported S. 1954, to extend until Dec. 31, 1945, the act authorizing the use for war purposes of Government-owned silver (pp. 8682-3).

6. EDUCATION BROADCASTS. Interstate Commerce Committee reported with an amendment S. 1957, to amend the Communications Act of 1934 so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs (S. Rept. 1233) (p. 8661).

7. FLOOD CONTROL. Continued debate on H. R. 4485, the flood-control bill (pp. 8664-82, 8686-8).

Agreed to the committee amendment authorizing appropriation of funds to begin the development of the Missouri River basin by the War and Interior Departments (pp. 8676-7).

Agreed to amendments by Sen. O'Mahoney, Wyo., to limit the use of waters for navigation (p. 8670), to provide for specific congressional approval of Interior projects if objected to by War or a State (pp. 8671-2), and to provide for use of War Department projects for irrigation (pp. 8675-6).

Agreed to a compromise amendment regarding projects in the New England States (pp. 8664-70, 8679-81).

Discussed and referred to the Irrigation and Reclamation Committee the O'Mahoney amendments to permit War Department to contract for water storage and to provide for use of War Department projects for irrigation under certain conditions (pp. 8672-4).

TRANSPORTATION; LAND GRANTS. Reported (Nov. 28) with amendments H. R. 4184, to repeal land-grant rates on military and naval traffic (S. Rept. 1208).

The committee did not adopt the proposed amendment to require the railroads to give up their grant lands before receiving full commercial rates.

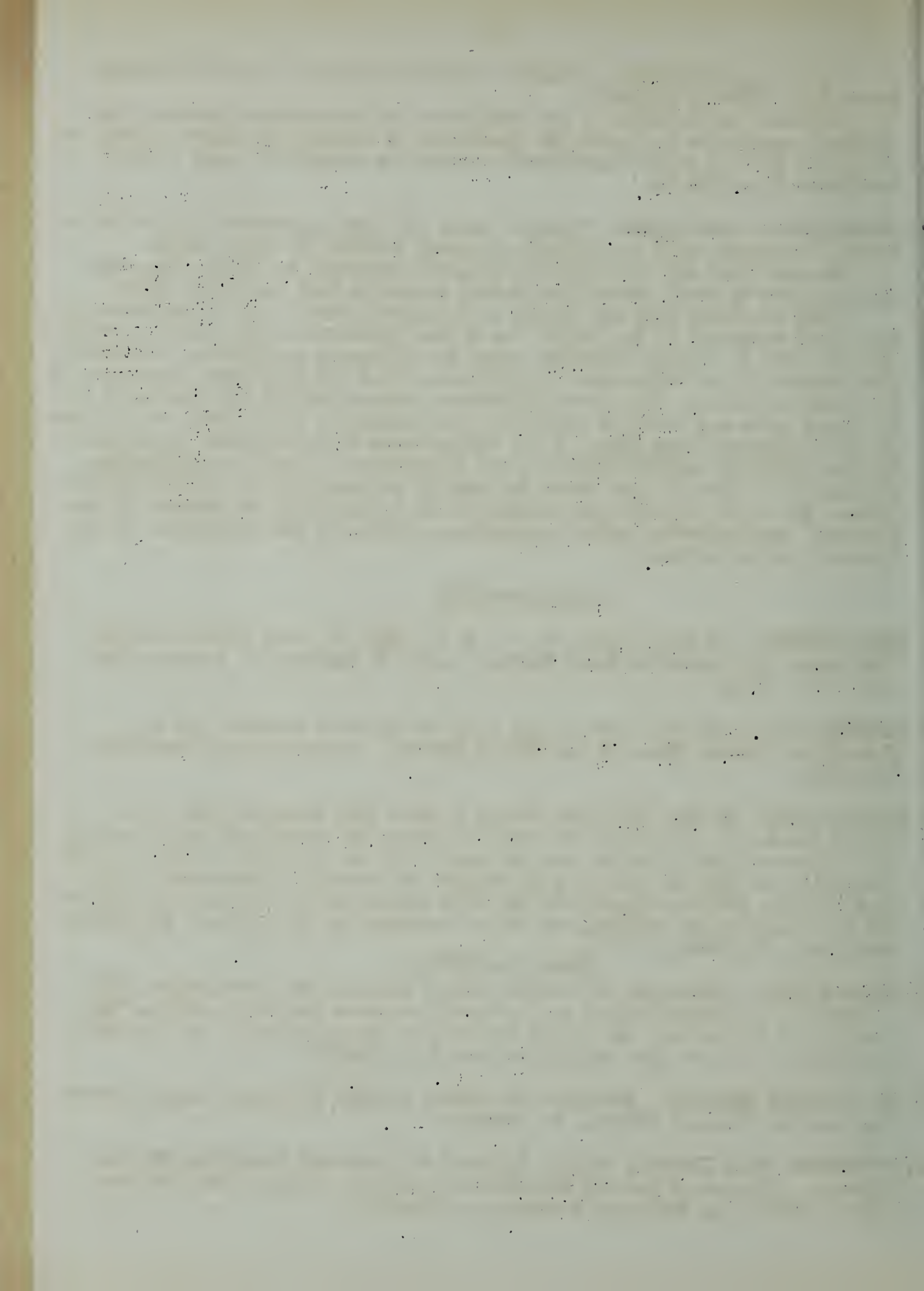
Under the House bill the repeal of land-grant rates would be effective 90 days after enactment of the bill. The Senate committee changed this provision so as to make the repeal effective under the following conditions: GAO would keep records of the differences in full-commercial and land-grant rates paid by Government agencies. When these differences exceed \$68,272,770 (the value of the grant lands now owned or claimed by the carriers), this amount would be set up as a "veterans' farm fund," to be administered by the Interior Department. The fund would be used for purchase and improvement of lands on reclamation projects to be divided into farms for sale to veterans and for irrigation projects. The names of qualified veterans would be furnished to Interior by the Veterans' Administration under regulations approved by the Secretaries of the Interior and Agriculture.

BILLS INTRODUCED

- SMALL BUSINESS. By Rep. Celler, N. Y., H. R. 5549, to amend Public Law 603, 77th Cong., the so-called Small Business Act. To Banking and Currency Committee. (p. 8713.)
- FORESTRY. By Rep. Patton, Tex., H. R. 5551, to transfer certain land in Nacogdoches County, Tex., to the Forest Service. To Agriculture Committee. (p. 8713.)
- FOREIGN TRADE. By Sen. Brewster, Maine, S. Res. 341, directing the U. S. Tariff Commission to examine the dutiable items, the imports of which in 1939 were valued at over \$100,000, and to report: (1) the quantity and value of U.S. production in 1939 and the ratio of imports to domestic consumption in that year; (2) the probable imports if the 1939 duties were to (a) remain in effect, (b) be reduced by 50 percent, and (c) be increased by 50 percent. To Finance Committee. (p. 8662.)

ITEMS IN APPENDIX

- 12. PRICE CONTROL. Extension of remarks of Rep. Bennett, Mo., criticizing WFA's "little or no concern" about the price of lespedeza seed and stating, "The Government called upon the farmer to increase their production of lespedeza, and now it has left them holding the sack" (p. A4904).
- 13. ST. LAWRENCE WATERWAY. Extension of remarks of Rep. Pittenger, Minn., favoring the St. Lawrence Waterway (p. A4904).
- 14. EDUCATION. Rep. Outland, Calif., inserted the National Commission for the Defense of Democracy Through Education's statement claiming that "America Trails Britain in Education Reform" (pp. A4905-6).



78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29 (legislative day, NOVEMBER 21), 1944

Ordered to be printed

AMENDMENT

Proposed by Mr. MURRAY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, viz:

- 1 At the end of section 2, line 19, page 2, of the bill, as
- 2 reported out by the Senate Committee on Commerce, insert
- 3 the following: "*Provided*, That all functions, powers, duties,
- 4 and projects of the Secretary of War, the Chief of Engineers,
- 5 and the Corps of Engineers with respect to the examination,
- 6 survey, construction, operation, and maintenance of western
- 7 water conservation reservoirs owned or controlled by the
- 8 Federal Government, or with respect to any works of im-
- 9 provement appurtenant to such reservoirs, whether hereto-

1 fore, herein, or hereafter authorized for examination, survey,
2 construction, operation, or maintenance, are hereby trans-
3 ferred to the Secretary of the Interior and shall be adminis-
4 tered, under his direction and supervision, by the Bureau of
5 Reclamation in the Department of the Interior. The term
6 'western water conservation reservoirs' as used in this section
7 shall be deemed to include all reservoirs which are used, or
8 capable of being used, in whole or in part for the conservation,
9 storage, or detention of water, including flood control, or for
10 the reclamation of arid or semiarid lands, and which are
11 located in the States of Arizona, California, Colorado, Idaho,
12 Kansas, Montana, Nebraska, Nevada, New Mexico, North
13 Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah,
14 Washington, and Wyoming: *Provided further*, That all rec-
15 ords and property (including office equipment, machinery,
16 supplies, facilities, contracts, and assets of every kind, but
17 excluding property needed in the conduct of military opera-
18 tions) used primarily in the administration of any such func-
19 tions, powers, duties, and projects shall be transferred to the
20 Department of the Interior for use in connection with the
21 administration of said functions, powers, duties, and projects:
22 *Provided further*, That all civilian personnel engaged pri-
23 marily in the administration of any such functions, powers,
24 duties, and projects shall be transferred to the Department of
25 the Interior for use in connection with the administration of

1 such functions, powers, duties, and projects. Any of the
2 civilian personnel transferred under this section who are
3 found by the Secretary of the Interior to be in excess of
4 the personnel necessary for efficient administration of the
5 activities covered by this section shall be retransferred under
6 existing law to other positions in the Government service or
7 shall be separated from the service. Any person whose
8 employment is terminated on account of a reduction of per-
9 sonnel resulting from the operation of this order shall, for a
10 period of one year from the date of such termination of
11 employment, be given preference, if qualified, whenever an
12 appointment is made in the executive branch of the Govern-
13 ment: *Provided further*, That so much of the unexpended
14 balances of appropriations, authorizations, allocations, or other
15 funds heretofore or hereafter made available for use in the
16 administration of any of the functions, powers, duties, and
17 projects transferred by this section (including appropriations,
18 authorizations, allocations, or other funds available for general
19 departmental or staff services used in the administration of
20 any such activity) as shall be determined, upon the basis of
21 the pertinent legislative, budgetary, and administrative appor-
22 tionments, to be properly subject to utilization in the adminis-
23 tration of such functions, powers, duties, or projects shall be
24 transferred to the Department of the Interior for use in con-
25 nection with the administration of the functions, powers,

1 duties, and projects transferred by this section. The moneys
2 so transferred may include amounts to provide for the liquida-
3 tion of obligations incurred against such appropriations,
4 authorizations, allocations, or other funds prior to the transfer.
5 No moneys transferred under this provision shall be expended
6 for purposes other than those for which such moneys were
7 appropriated or otherwise originally made available, except
8 to the extent to which their expenditure for other purposes
9 may be authorized by law: *Provided further*, That nothing
10 contained in this section shall impair the validity of any out-
11 standing obligations or contracts of the United States of
12 America or of any department, establishment, or agency
13 thereof: *Provided further*, That all rules, regulations, orders,
14 permits, licenses, privileges, or other like matters made,
15 issued, or granted in pursuance of, or with respect to, any
16 function, power, duty, or project transferred by this section
17 which are in effect at the time of such transfer shall continue
18 in effect to the same extent as if such transfer had not oc-
19 curred until modified, superseded, or repealed: *Provided*
20 *further*, That the Director of the Bureau of the Budget shall
21 take such action as may be necessary or appropriate for the
22 effectuation of the transfers provided for herein, and shall
23 prescribe the date or dates on which such transfers shall
24 become effective. His determinations with respect to the

- 1 proper allocation of the records, property, personnel, and
- 2 funds referred to in said sections shall, when approved by
- 3 the President, be final for the purposes of this Act.”

AMENDMENT

Proposed by Mr. MURRAY to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

NOVEMBER 29 (legislative day, NOVEMBER 21), 1944

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delegate on the Council of the United Nations could be empowered by appropriate measures of the Congress to act in concert with other nations to preserve the peace, even to the extent of using such forces as are made available for this purpose by the Congress to repel aggression. This, he believes, can be done without the need of seeking specific Congressional approval in each case when the peace is threatened. I commend to the attention of the Senate his thoughtful and persuasive letter.

There being no objection, the letter and editorial were ordered to be printed in the *RECORD*; as follows:

[From the New York Times of October 2, 1944]

**PROMPTNESS A FACTOR—POSSIBLE USE OF FORCE
TO PREVENT AGGRESSION NOT DEBATABLE**

TO THE EDITOR OF THE NEW YORK TIMES:

The text of the Dumbarton Oaks agreement discloses that our armed forces may be used in two ways to preserve world peace. A contingent of our air forces is to be kept available for combined international action when urgent and speedy military measures become necessary. The circumstances under which other types of armed forces are to be employed will be defined in separate compacts which are still to be negotiated and which when concluded are to be ratified in accordance with the constitutional processes of the various United Nations. Apparently it is not contemplated that the approval of Congress will be sought in advance either of the use of our air contingent or other forces to prevent aggression.

The suggestion has been made in public discussions of the problems of international security that the Constitution does not permit our armed forces to be used without prior congressional approval. According to this view, congressional consent must be sought in each instance before resort is had to armed action.

CONSTITUTIONAL QUESTION

Is this a sound construction of the Federal Constitution? Or, stated differently, is it within the constitutional competence of our Government to make the commitments concerning our armed forces which are embodied in or contemplated by the Dumbarton Oaks pact?

As is true of most great constitutional issues, our organic charter provides no direct answer to these questions.

A declaration of war requires congressional action. But the use of force is not always the equivalent of war. There are numerous instances in our history of the use of force by the Executive in the protection of our national interests which have never been regarded as acts of war and which were not preceded by any congressional declaration or specific authorization. The principal examples are listed in a printed pamphlet prepared by the Solicitor of the State Department, entitled "Right to Protect Citizens in Foreign Countries by Landing Forces," and published by the Government Printing Office.

Forces have been sent to foreign lands to protect the lives and property of American citizens, to safeguard our shipping from piracy, to punish the nationals of other countries for crimes, injuries, and insults against American citizens. The outstanding incidents were the landing of troops in China during the Boxer revolt, the naval excursions into the far Pacific in the nineteenth century, and the landing of marines in Mexico, Haiti, Nicaragua, and other Central American countries.

HIGH COURT STATEMENT

One of the most famous occasions for the display of force is described by the Supreme

Court in *In re Neagle* (135 U. S. 1, 64) as follows:

"One of the most remarkable episodes in the history of our foreign relations, and which has become an attractive historical incident, is the case of Martin Koszta, a native of Hungary, who, though not fully a naturalized citizen of the United States, had in due form of law made his declaration of intention to become a citizen.

"While in Smyrna he was seized by command of the Austrian consul general at that place, and carried on board the *Hussar*, an Austrian vessel, where he was held in close confinement. Captain Ingraham, in command of the American sloop of war *St. Louis*, arriving in port at that critical period, and ascertaining that Koszta had with him his naturalization papers, demanded his surrender to him, and was compelled to train his guns upon the Austrian vessel before his demands were complied with. It was, however, to prevent bloodshed, agreed that Koszta should be placed in the hands of the French consul subject to the result of diplomatic negotiations between Austria and the United States."

PUBLIC APPROVED

"The celebrated correspondence between Mr. Marcy, Secretary of State, and Chevalier Hulsemann, the Austrian Minister at Washington, which arose out of this affair, and resulted in the release and restoration to liberty of Koszta, attracted a great deal of public attention, and the position assumed by Mr. Marcy met the approval of the country and of Congress, who voted a gold medal to Captain Ingraham for his conduct in the affair. Upon what act of Congress then existing can anyone lay his finger in support of the action of our Government in this matter?"

It would be idle to deny that the use of force may lead to war. This is equally true, though perhaps to a lesser extent, of other aspects of the conduct of our foreign relations, which the Constitution entrusts exclusively to the Executive.

"The President," stated Chief Justice Marshall, "is the sole organ of the Nation in its external relations, and its sole representative with foreign nations." According to Justice Sutherland in *U. S. v. Curtiss-Wright Corporation* (299 U. S. 304, 318), "As a member of the family of nations, the right and power of the United States [in the field of foreign relations] are equal to the right and power of the other members of the international family. Otherwise the United States is not completely sovereign." The same idea was expressed by the Supreme Court in *Burnet v. Brooks*, (288 U. S. 378, 396), where it said, "As a Nation with all the attributes of sovereignty, the United States is vested with all the powers of government necessary to maintain an effective control of international relations."

Our Government, like other governments, has found it necessary in the past to resort to force in its dealings with other nations. If this could be done consonant with the provisions of our Constitution, certainly there should be no constitutional difficulty in our acting hereafter in concert with other peace-loving nations. Under the settled construction put upon the Constitution throughout our entire history, the Executive may use force in the protection of our national interests without congressional authorization, either general or specific.

How much clearer is it that this may be done pursuant to international arrangements duly ratified by Congress. The commitment for the use of air power is in the Dumbarton Oaks compact which will be submitted to Congress. The agreements concerning other forces will be subject to ratification by the Senate. Under the decision of the Supreme Court in *U. S. v. Curtiss-Wright Corporation* there can be no doubt that Congress, by

ratification of these general arrangements, may supplement the President's "plenary" authority over foreign affairs with ample power to join with other powers in all necessary measures to curb aggression.

POWER FOR CONGRESS

The fullest participation of Congress in preserving peace is manifestly to be desired. No Executive is likely to authorize the use of force without the fullest consultation with Congress; the action he would take on his own initiative would be limited. Where police measures fail, it will always be up to the Congress to determine whether war itself should be declared.

Our experience in two wars teaches that aggression can only be prevented if the international community is able to move promptly. If our participation in collective measures is to be debated in each instance in Congress and if the parliaments of other United Nations are similarly to pass upon the extent of their participation, costly delays will ensue. Hitler could have been stopped long before 1939 with a minimum cost of human lives had the world been organized to move swiftly against aggression. Paralyzing debates by the democracies provide the aggressors with the head start which makes their ultimate destruction so difficult and costly.

It has been suggested that a distinction be drawn between the use of force in this hemisphere and its use elsewhere. Members of Congress who are most jealous of congressional prerogatives recognize the need for speedy action in the western world and are not insistent on advance congressional approval when force is needed in our own backyard. Constitutionally, however, there is no basis for distinction between action in this part of the world and elsewhere. And we must always keep in the forefront of our minds that the two world wars of the twentieth century originated in Europe and Asia. If there is to be no repetition of the invasion of Belgium, Manchuria, and Poland, we must join our fellow nations willingly and without hampering reservations in keeping the peace. Nothing in the Federal Constitution stands in the way of our assuming our full share of responsibility.

Let all these difficult questions of policy be debated on their merits. The injection of constitutional objections of superficial plausibility but of dubious validity will only serve to confuse the issues.

MILTON HANDLER.

NEW YORK, October 17, 1944.

[From the New York Times of October 23, 1944.]

THE PRESIDENT'S PROPOSAL

President Roosevelt used his speech before the Foreign Policy Association on Saturday evening to add to the blueprints of Dumbarton Oaks a recommendation of very great importance. This was his proposal that the American representative on the council of the new league of the United Nations "be empowered in advance by the people themselves, by constitutional means through their representatives in Congress, with authority to act." By this he clearly means authority for the American representative to determine on his own right, and without further specific reference of the question in each instance to Congress, whether such American forces as have been made available for this purpose—our quota of an international air force, for example—shall be used, along with the forces supplied by other members of the United Nations, to prevent or restrain aggression.

The President backed this proposal with an argument which may seem to be oversimplified but which does, after all, go to the heart of the problem. A policeman, he said, would not be a very effective policeman if, when he saw a felon breaking into

a house, he had to go to the town hall and call a town meeting to issue a warrant before the felon could be arrested. "If we do not catch the International felon when we have our hands on him, if we let him get away with his loot because the town council has not passed an ordinance authorizing his arrest, then we are not doing our share to prevent another world war. I think, and I have had some experience, that the people of this Nation want their Government to work, they want their Government to act, and not merely talk, whenever and wherever there is a threat to peace."

It is important to keep in mind the precise words in which the President advanced his proposal. He wishes the American representative on the council to be given his authority "by the people themselves, by constitutional means through their representatives in Congress." It is clear that he intends to propose, concretely, a method of procedure which he believes will be in accordance with the letter and the spirit of the Constitution. This could be done in various ways: By Senatorial ratification of a treaty, or by making the American representative on the council a delegate of Congress as well as of the President, through one of several devices. Fundamentally, we believe, there are no constitutional obstacles to the perfection of a plan which would sanction the use of American force in this manner. For while the Constitution does require Congressional action for a declaration of war, the use of force is not always the equivalent of war, and its use in this case would be for the purpose of preventing war. As Professor Handler of the Columbia Law School wrote yesterday on this page:

"Our Government, like other Governments, has found it necessary in the past to resort to force in its dealing with other nations. If this could be done consonant with the provisions of our Constitution, certainly there should be no constitutional difficulty in our acting hereafter in concert with peace-loving nations. Under the settled construction put upon the Constitution throughout our entire history, the Executive may use force in the protection of our national interests without congressional authorization, either general or specific. How much clearer is it that this may be done pursuant to international arrangements duly ratified by Congress."

We believe that a plan to embody the President's proposal can be developed which will rest on sound constitutional grounds, and we believe that from the point of view of public policy the case for the adoption of such a plan is very strong. Surely, the best hope of averting the two great wars in Europe and Asia, in which American blood and treasure must now be poured out lavishly, would have been to confront Germany and Japan with the certainty that their first aggression would be met immediately by consultation which could bring coalition action. It is the factor of certainty, quite as much as the factor of promptness, that is important. For while the American representative on the council might not vote in all cases to approve the use of force (he would certainly not do so unless he had evidence that American opinion was behind him), the fact remains that any potential aggressor would know henceforth that there were policemen in the world who had power to arrest felons. In the deterrent influence of this knowledge, and the maintenance by the peace-loving nations of adequate armed forces, lie real hope that out of the present war there may come a long period of peace.

The President has made a courageous and constructive proposal which we hope will have the prompt support of Mr. Dewey. For there is an American interest here which transcends party lines and will outlast election campaigns. We shall need, on November 8, and from that point forward, all the

bipartisan support that can be mustered for the plan that seems most certain to avert the tragedy and the waste and the heartbreak of another war.

CONFIRMATION OF THE NOMINATION OF COMMISSIONER GUY E. MASON

Mr. BILBO. Mr. President, in order to give further assurance to my colleagues who voted for the confirmation of the nomination of Mr. Mason and to clear any doubt in the minds of my brethren who saw fit to vote against confirmation, I wish to read into the RECORD a telegram which it was intended should have been read yesterday, but it came too late. The telegram is as follows:

WASHINGTON, D. C., November 28, 1944.
Senator THEODORE BILBO,
Senate Office Building,

Washington, D. C.:

We have read in this morning's press of the hospital charges, and on the basis of thorough personal investigation of all the municipal hospitals, including Gallinger, and having observed the performance with which Commissioner Mason has acted upon all practical suggestions for improvement, we heartily commend Commissioner Mason for carrying out his duties and warmly endorse his reappointment.

The following members of the board of visitors committee:

Mrs. C. Ashmead Fuller, Rabbi Norman Gerstenfeld, Rev. E. L. Harrison, Mrs. Willis W. Jones, Rev. Edward G. Latch, Mrs. Harold N. Marsh, Mrs. Stanley Reed, and Rudolph Berger.

Mr. LANGER. Mr. President, may I inquire what is the board of visitors and who constitute it?

Mr. BILBO. It is a volunteer organization in the District of Columbia and is approved by the Board of District Commissioners.

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wyoming [Mr. O'MAHONEY] for himself and other Senators, striking out lines 3 to 7 on page 10 of the bill and inserting in lieu thereof certain words.

Mr. AUSTIN obtained the floor.

Mr. HILL. Mr. President, will the Senator from Vermont yield to me to make a point of no quorum?

Mr. AUSTIN. I yield.

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Connally	Hawkes
Austin	Cordon	Hayden
Bailey	Danaher	Hill
Bankhead	Davis	Holman
Bilbo	Downey	Jenner
Brewster	Ellender	Johnson, Calif.
Brooks	Ferguson	Johnson, Colo.
Buck	George	Kilgore
Burton	Gerry	Langer
Bushfield	Gillette	Lucas
Butler	Green	McClellan
Byrd	Guffey	McFarland
Capper	Gurney	McKellar
Caraway	Hall	Maloney
Clark, Mo.	Hatch	Maybank

Mead	Robertson	Wallgren
Millikin	Russell	Walsh, Mass.
Murray	Shipstead	Walsh, N. J.
Nye	Stewart	Weeks
O'Daniel	Taft	Wheeler
O'Mahoney	Thomas, Idaho	Wherry
Overton	Thomas, Okla.	White
Radcliffe	Thomas, Utah	Wiley
Reed	Tunnell	Willis
Revercomb	Vandenberg	
Reynolds	Wagner	

Mr. WHITE. I announce the absence of the senior Senator from Wisconsin [Mr. LA FOLLETTE] on official business of the Senate.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] and the Senator from Utah [Mr. MURDOCK] are detained on official business for the Senate.

The Senator from Kentucky [Mr. CHANDLER] is absent attending the funeral of a friend.

The Senator from Florida [Mr. PEPPER] is absent on important public business.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Idaho [Mr. CLARK] are necessarily absent.

The Senator from Kentucky [Mr. BARKLEY] and the Senator from New Mexico [Mr. CHAVEZ] are unavoidably detained.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from Minnesota [Mr. BALL], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Oklahoma [Mr. MOORE], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON].

The VICE PRESIDENT. Seventy-six Senators have answered to their names. A quorum is present.

Mr. AUSTIN. Mr. President, when the Senate recessed I was discussing the subject whether the amendment now pending would stop the whole program, as claimed by the distinguished Senator from Connecticut, or whether it would wipe out all projects planned, as claimed by the distinguished Senator from Connecticut. I was undertaking to point out that it would not and that, as a matter of fact, the drainage area in square miles comprehended by the postponement in the amendment is only 436 square miles out of a total drainage involved in the 20 projects of 2,752 square miles. In other words, five-sixths of the project could go forward. Only one-sixth of it would be suspended, and for merely a long enough time to have the opportunity given to the representatives of the State of Vermont to present their claim with respect to the valleys involved—and there are only 4 of them, 4 out of 10—so that they could be considered by the engineers, and perhaps assented to and agreements made, without a postponement of the projects further than that involved in a mere conversation between the engineers and the representatives of the State of Vermont. That would not bring about serious delay; indeed, it should cause no delay at all, for, as a matter of fact, the

report of the Army engineers which is referred to in the authority given by the bill contemplated exactly such a possibility of delay. I find on page 4 of the report of the Board of Engineers for Rivers and Harbors, contained in House Document No. 724 the following, bearing upon that subject:

There are indications that when the studies now underway are completed, a larger number of reservoirs than contemplated under the approved plan may be found desirable. It has also been found that some of the sites that will be used for construction of the 20 reservoirs under the approved plan, as it may be modified, have potentialities either for the future development of power or for the provision of additional storage for stream-flow regulation for the benefit of downstream power plants.

And on page 5 of the same report there is found the following:

The Board notes that construction of 20 reservoirs under the approved plan probably would extend over a period of years as continuing authorizations, and appropriations for that plan are made by Congress. As construction proceeds changes in the approved plan, beyond those now considered advisable, may become desirable.

In other words, Vermont is merely carrying out what was contemplated by the Board of Engineers in respect to this development, and specifically pointing out only a few out of the 20—that is, 4 out of the 20—valleys to be reconsidered.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WALSH of Massachusetts. I understand the Senator from Vermont to state that the objection on his part is largely related, in fact entirely related, to one project.

Mr. AUSTIN. Not entirely, but it is largely related to one.

Mr. WALSH of Massachusetts. Would the Senator from Vermont be willing to accept in the nature of a compromise the language in the bill subject to a limitation that the one project the Senator is referring to should be suspended for 6 months in order to enable a reinvestigation to be made?

Mr. AUSTIN. I could not enter into an agreement with respect to a compromise on my own authority alone. The State of Vermont has appointed a water conservation board which is represented here, and which is now, I understand, in conference with the distinguished colleague of the Senator who has asked this question, and they have under consideration a possible compromise relating to the watershed of the West River which might, if accepted, clear the question entirely. That matter may come to a decision while I am talking here, or within a short time.

Mr. WALSH of Massachusetts. The proposal which I suggest to the Senator would provide for a review of this one project, and all parties would be given a chance to be heard, and then if modifications or changes should be desired, they could be made. It would at least permit further study and inquiry with respect to that one project.

Mr. AUSTIN. I understand, and the suggestion made by the Senator from Massachusetts is a perfectly laudable one,

and one of which I approve. If a limitation of time were imposed the question would arise, of course, if action could be taken within the time limitation. That is something I do not know. That is for technicians to determine.

Mr. WALSH of Massachusetts. I have not talked with my colleagues from Connecticut and Massachusetts about this matter, but I am wondering if it is not possible to permit projects with respect to which authorizations already exist, as well as projects authorized in this bill, to proceed, subject to review of the one project under discussion.

Mr. AUSTIN. I think that is doubtful, in view of the fact that question was raised with respect to other small valleys. There is a question raised by the committee amendment with relation to the use of these dams for power which could be resolved very easily by having it made possible for the representatives of the States and of the Federal Government to consider each valley on its merits with reference to the use of the water for power.

Mr. WALSH of Massachusetts. May I ask the Senator if the present law and the plan outlined in the pending measure permit the use of these dams in Vermont for generating power.

Mr. AUSTIN. Well, in this way, that it is possible that it could be done.

Mr. WALSH of Massachusetts. There is a feeling, I judge, on the part of some of the representatives of the State of Vermont that at least some of the dams, not all of them, should not be permitted to generate power. Is that true?

Mr. AUSTIN. Yes. The matter does not really turn on the question of power at all. It turns on other points.

Mr. WALSH of Massachusetts. But the question rises with respect to the building of dams of a type that might be used for generating power.

Mr. AUSTIN. Yes; that is the point; the type of dams which might create burdens on the community.

Mr. WALSH of Massachusetts. I cannot conceive of the construction of a type of dam which generates power that would be different from other dams, except in the matter of cost and in the matter of height.

Mr. AUSTIN. I am informed by the evidence that such a dam does impose a wholly different burden on the valley.

Mr. WALSH of Massachusetts. The burden on the valley is the flooding of the valley, and that depends, does it not, on the height of the dam?

Mr. AUSTIN. That is not the only burden. The burden is in the use also, by drawing down and exposing the soil that has been so full of water and creating an obnoxious situation. We have to regard the interests of Vermont in maintaining its resource of recreation as a valuable asset of the State. There is another question involved, namely, that of alluvial land which can be used for agriculture. We want to be heard on those two points when the question of construction of a dam that is suitable for generating power comes up with respect to a certain valley.

Mr. WALSH of Massachusetts. Of course, that has already been consid-

ered. But does the Senator think there ought to be further hearings?

Mr. AUSTIN. No, Mr. President; it has not been considered by the State. It has not been considered in respect to the matter in question.

Mr. WALSH of Massachusetts. Has not all the evidence which the State desires to produce been presented to the Army engineers and also to the Committees on Commerce of both the House and the Senate?

Mr. AUSTIN. No. That is what we are after. We are after the same thing that the distinguished chairman of the Committee on Commerce was after and obtained from the Senate in his amendment, which appears in the RECORD at page 8352. I read as follows:

Mr. BAILEY. Mr. President, the amendment which I offered, and which the committee unanimously approved, reads as follows:

"On page 12, after line 14, strike out lines 15 to 23, inclusive, under the title 'Yadkin-Pee Dee River Basin' and insert in lieu thereof the following:

"The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control, and other purposes, recommended by the Chief of Engineers in House Document 652, Seventy-eighth Congress, second session, is hereby stricken from the bill and is referred to the Committee on Commerce to the end that hearings may be had from the people concerned and with instructions to report back to the Senate within 6 months."

That amendment was supported by claims which are so very much like the claims which the committee heard from the inhabitants of the West River Valley, that it seems strange that there should be a conflict here over a similar request, for the effect of our amendment is substantially the same as the effect of the amendment which has already been accepted with respect to the Yadkin-Pee Dee River Basin.

Mr. WALSH of Massachusetts. Is there not a material difference between the Senator's amendment and the amendment he has just read?

Mr. AUSTIN. Yes; there is. But it is on another point, and that is that we seek by this amendment to meet the claim of delay which would be involved if we were to strike out the whole Connecticut River basin and try to narrow this effort by Vermont down to a small part of the Connecticut River basin, that part which is in Vermont, and point out that there is authorized improvement on the West River, although there should be no modification of it without an opportunity to be heard.

I call attention to the fact that the present location of the Williamsville site dam is a modification. At one time when we considered this project it was to be located in the town of Dummerston, which is below the present location. Now it has gone upstream to a different location, and I am informed that still another location, with which I am not familiar, has been considered by the engineers. Those are regarded as modifications within that section of the law which reads "with such further modifications as may be found justifiable in the dis-

cretion of the Secretary of War and of the Chief of Engineers."

We do not want that to take place again without our knowledge or without our having an opportunity to be heard.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. OVERTON. There is this difference between the Yadkin-Pee Dee and the Connecticut River Basin: In the first place, I accepted the amendment which was presented by the Senator from North Carolina [Mr. BAILEY] because the Yadkin-Pee Dee affects only one State, namely, the State of North Carolina. On the other hand, the Connecticut River Basin affects three States, and the reservoirs in the State of Vermont, while being located exclusively in the State of Vermont, would affect the flow of the Connecticut River through Massachusetts and Connecticut, and therefore three States are involved. If the Senators from the three States had agreed on some compromise arrangement, I think I would gladly have accepted it, so far as I could accept an amendment.

The other difference is that the Yadkin-Pee Dee report was submitted at the beginning of the hearings by the Senate Committee on Commerce, and the point was made that there was no opportunity on the part of the local people to have been so advised as to the project that they could understand it and arrive at a conclusion as to whether they desired it or not. Therefore they had been denied an opportunity to be heard. On the other hand, the Connecticut River Basin contemplated improvement has been before the Congress for a number of years. I believe surveys were made in 1936, and reports in 1936 and 1937. There was an act of Congress in 1938, and another act of Congress in 1941. The present law is embodied in the act of 1941.

If I may proceed a little further, the question arose in the House, as I understand, in opposition to the Williamsville site dam. It was desired that it should be made a low dam, that is, one which would be used solely for the purpose of flood protection, and not a high dam which could be used for purposes of power. At least, when the bill came over from the House, there was a provision in it that the Williamsville site dam should be a low dam.

Those are the main differences between the two situations. Of course, I cannot consent to any suggestion unless it meets with the approval of the Senators representing the States affected. That is the main consideration.

Mr. WALSH of Massachusetts. We appreciate the Senator's explanation.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. MALONEY. I should like to point out that the situation has changed so rapidly, and so many different amendments have been offered or corrected, that yesterday's statement on the floor sounds rather foolish today.

I should like to reiterate that I am anxious to cooperate with the Senators from Vermont. I rose some time ago to

comment upon a statement made by the distinguished Senator from Vermont [Mr. AUSTIN], who has the floor. Perhaps it is a little late now to point out that the delay which he asks, and which he mentioned a little earlier, is available.

This bill deals with post-war projects. Those projects will not be undertaken until the war is over. The law already provides that the Army engineers have the right to modify their plans. The distinguished Senator from Vermont was somewhat exercised a few days ago about the language in the law dealing with modification, and he then gave notice to the Senate that he intended to move to strike out that language in the law. Apparently that plan has been abandoned, although I suspect it may be revived.

Mr. AUSTIN. I think the Senator ought to know that it has not been abandoned, and that it is really in the amendment now under consideration.

Mr. MALONEY. Let me point out that if all the Senator wants is delay in order to review the matter, he has all the time between now and the end of the war. The Army engineers are empowered to make modifications. The Army engineers are recognized as men who are always anxious to cooperate. I have never known them to be arbitrary. So if all the Senator wants is review, and a delay to bring about the review, it is already available to him.

I am hopeful that those now engaged in conference, representatives from the State of Massachusetts and officials from the State of Vermont, will come to us soon with an agreement which we can all accept; but I wish to point out that the language in this amendment has been changed from day to day, and now I am informed by the Senator that his amendment, although it does not say so in A B C language, makes provision for striking out language in existing law. I do not believe that is necessary.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to my colleague.

Mr. AIKEN. I should like to point out two things. First, in addition to the Yadkin-Pee Dee project which was eliminated, and which has been discussed here, this body has also eliminated other projects from the bill, notably a dam in Indiana, which it was contended would do more damage than would be compensated for by the benefits derived from it, and also a dam in West Virginia. They were both deleted from the bill for exactly the same reasons which we are now presenting in asking for the elimination of the West River Dam.

Let me also point out a further thing: The Senator from Connecticut states that we would have ample time for review, and that none of these projects can be started until after the war; but the language of the bill at the top of page 8 is as follows:

Provided further, That when the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be

initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements.

In other words, instead of being post-war projects, it will be required that these projects start not later than at the end of the war. So the projects are very different from being post-war projects. They could start tomorrow. I do not understand that the materials required for starting the dams are necessarily strategic materials. So, Mr. President, I think we should take into consideration the fact that the pending flood-control bill is not a bill for post-war projects.

Mr. AUSTIN. Mr. President, I thank my colleague.

Now let us consider the claim made that Vermont should longer endure the absolute and unqualified authority of the Secretary of War and the Chief of Engineers which is contained in the language:

With such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

That language appeared for the first time in the act of 1941 with reference to the Connecticut River Basin. Under it a modification was made without the cooperation or consideration of the State of Vermont. The location of the dam on the West River, which is so much discussed here, was changed from below West Dummerston upstream 3 miles to Williamsville Station.

Mr. MALONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. DOWNEY in the chair). Does the Senator from Vermont yield to the Senator from Connecticut?

Mr. AUSTIN. I will yield in a moment.

Mr. President, that change is regarded as a modification under the Connecticut River Basin provision. But there is so much evidence in the act of 1941 itself that the word "modification" comprehends substitution of one dam for another, change of type of dam, change of height of spillway, that one of the chief objectives we have is that there shall no longer exist the arbitrary power of the Secretary of War and the Chief of Engineers, after Congress has acted, to operate in these Vermont valleys without consulting the State of Vermont.

I do not wish to have the Congress vote an authorization and then later find that within 6 months the Secretary of War and the Chief of Engineers have modified it by changing the location to a point 3½ miles upstream or by changing the type of the dam or by changing the height of the spillway. That is why there is written into the amendment the clause:

Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification of the comprehensive plan for the Connecticut River Basin in Vermont heretofore made under authority of the Flood Control Act of June 28, 1938, or heretofore made under authority of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

In other words, Mr. President, Vermont wishes to have the same privilege—not greater privilege—which is granted to the great States of the West and the South and to all other States except Vermont. That is all we wish to have. We desire to have a decent chance to have the wishes, plans, and vital interests of the State considered in the report on modifications made by the Army engineers to the Congress, and we want a report. We do not want a modification made by the Secretary of War and the Chief of Engineers which does not come here for our consideration and the action of Congress thereon. It is the blanket authority contained in this sleeper clause which is the great danger to us and to all our interests.

Mr. President, all we are asking for, in plain English, is a chance to be consulted, not merely in the committees of Congress, but on the ground, among the engineers who are at work on these types of dams and who look over the ground locally to see whether the proportionate damage and injury to the people of the State of Vermont and to the State itself is so great that a certain type of dam should be constructed there, instead of another type, or that a certain location should be adopted instead of another location, or that a certain use instead of another use should be employed at that place in that valley.

There are 10 Vermont valleys for which dams have been authorized. Of the 10 we have picked 4 to which objection has arisen. We have said that as to them there shall be a further consideration regarding the dams. That request is a very modest one, and granting it will not delay the whole project. Five-sixths of the project can be advanced just as rapidly as it is possible to find the manpower with which to do so. This morning we read in the newspapers that there is a "supercritical" shortage of 90,000 men who are needed to carry on the war production. Will it cause delay to require reconsideration of these projects with reference to all their characteristics, and to have a report made to Congress, in the light of the fact that we cannot find the manpower needed in order to go ahead with the projects, even if we ratify the authorization which was made in 1941 for these particular projects? The answer is "No." It will not delay. In fact, it probably will promote the construction of the projects.

Mr. MALONEY. Mr. President, will the Senator yield to me?

Mr. AUSTIN. I yield.

Mr. MALONEY. I wished to comment on something the Senator said awhile ago at a time when he found it inconvenient to yield to me. I can quite understand why he did not wish to yield then, but I make this reference and place this emphasis in order that what I am about to say will be better understood.

It is true, as the Senator has pointed out, that some tentative modifications have been made in the location of a dam on the West River; but I have understood that, quite contrary to the position the Senator from Vermont seems to take, the modification was made for the pur-

pose of serving the wishes of the people of Vermont. It is true that the location originally intended was changed and that a location a little farther up the river was selected; but, as I understand the situation, the purpose of changing the location to one farther up the river was to protect Vermont. Fewer persons and fewer homes would thus be affected.

So I do not wish the RECORD to show, without a contradiction, that the change was made because of an arbitrary attitude on the part of the engineers, in which they were ignoring the wishes of Vermont.

The Senator from Vermont also has made much of the fact and has earlier, at least, if not now, entertained the idea that the modification privileges contained in the law are peculiar to Vermont. They are not peculiar to Vermont or to the Connecticut Valley, Mr. President, although the Senator from Vermont has earlier said on the floor of the Senate that they were. Similar language is found in connection with other projects. It is necessary that the Army engineers have this modification authority if they are to comply with desires such as are here expressed by the Vermont Senators, namely, to provide a chance to review, a chance to discuss, a chance to reexamine. In large part, that is why that language is in the law, namely, to permit just the things which the able senior Senator from Vermont [Mr. AUSTIN] now advocates.

Mr. AUSTIN. Mr. President, I hardly believe that the distinguished senior Senator from Connecticut has in mind what the Senate voted yesterday.

Mr. MALONEY. I confess that I am becoming confused as the amendments undergo rapid change.

Mr. AUSTIN. He could not make the statement he has just made if he clearly recollected the amendment the Senate adopted yesterday. I shall take the time to read the language, because I think it is well to have the RECORD contain it. We took the first paragraph of the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY], which I shall read, and unanimously agreed to it.

Mr. MALONEY. Oh, no; not unanimously. I opposed it.

Mr. AUSTIN. Did the Senator oppose it?

Mr. MALONEY. Yes.

Mr. AUSTIN. Does the Senator agree that it was adopted by the Senate?

Mr. MALONEY. Oh, yes.

Mr. AUSTIN. Very well.

Mr. MALONEY. And I am trying to adjust myself to the situation as it moves along.

Mr. AUSTIN. Very well. The provision to which I refer reads as follows:

In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized, to preserve and protect to the fullest possible extent estab-

lished and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

I believe I have in my hand an original copy of the amendment. In the form agreed to there were slight changes made which brought out the idea of cooperation between the Federal Government and the States.

The following clause, which the Senator from Connecticut seems to think should apply to the Connecticut River Valley, is opposed to the language which I have read because it would give absolute dictatorial power and exclusive discretion to the Army engineers. The provision to which I refer is as follows:

With such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

There is nothing in that clause which should now apply to Vermont. If that provision becomes law, Vermont should have the benefit of the policy which was agreed to yesterday. Vermont should not be singled out and discriminated against when all the other States in the Union have the benefit of this declaration of policy.

Mr. President, yesterday the Senate agreed to the following provision, which I read from page 2, line 13, of the text before me, which I believe to be an old text, but if there is a difference, I shall be very glad to correct it later:

In conformity with this policy: (a).

That "(a)" is referred to in our amendment.

Mr. MALONEY. Will the Senator yield for a correction?

Mr. AUSTIN. Yes.

Mr. MALONEY. The Senator has said again that this language is peculiar to Vermont, and that he only asks for what other States of the Union have been given. If he will look on page 465, United States Revised Statutes, Seventy-seventh Congress, first session, volume 55, part I, Public Laws, under "Arkansas River Basin," he will find the following clause:

With such modifications as may be advisable in the discretion of the Secretary of War and the Chief of Engineers.

That provision is identical with that applying to Vermont.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. OVERTON. I believe the provision to which reference has been made will be found in connection with all comprehensive plans relating to river basins.

Mr. MALONEY. The Senator is correct, and it is impossible to have a comprehensive plan without providing for such modifications.

Mr. OVERTON. It is not only peculiar to the Connecticut River Basin but is peculiar to all reports of the engineers in connection with similar plans.

Mr. AUSTIN. Mr. President, with that statement I disagree. I am subject to error in reading. I contend that if we examine the act of August 31, 1941, we will find a reference to 31 projects. The project in the Connecticut River Basin is the only one which contains the peculiar clause to which I have referred. There are clauses in the provisions relating to similar projects, but in most cases they are qualified by a sufficient description of the project so that the breadth and scope of the authority does not exist as it would in the case of the Connecticut River Basin.

Mr. MALONEY. It exists in the language to which I just referred in connection with the Arkansas River Valley.

Mr. AUSTIN. If what the Senator says be true, why should Arkansas and Vermont be singled out and not be given the benefit of the policy the Senate adopted yesterday?

Mr. President, the claim I make is that we are now in the business of rectifying the mistakes which Congress made in 1938 when it enacted a flood-control bill at the very end of the session, and which did not become law until after adjournment. My recollection is that Congress adjourned on June 16 of that year, and that the 1938 act did not become effective until approximately June 22, 1938. It was crowded through Congress at the end of the session. It absolutely reversed the action which Congress had taken in 1936 with reference to the policy of flood control. I shall discuss that subject later if I do not forget it. I now return to what I was undertaking to prove.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. OVERTON. In order to throw additional light on the question of modification, I may state that it is rare for an act itself ever to contain a provision for modification. The act authorizes certain plans for flood control. I am advised by the engineers that in the report submitted by the Chief of Engineers with respect to all basins there is contained a provision that the Chief of Engineers may make such modifications as he believes to be proper. Such authority to make modifications is never abused. The modifications are only minor ones, which become necessary as revealed by the investigation. When a comprehensive plan is adopted in connection with the recommendations of the engineers, the provision that the Chief of Engineers may make modifications becomes a part of the law without being so expressed in the statute.

Mr. AUSTIN. Mr. President, I meet that statement by citing what appears in the act of 1941.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. In response to the observation made by the distinguished senior Senator from Vermont, I should like to read from the act of 1938 in which in reference to the Ohio River Basin, the following words are set forth:

with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable.

The same language is used in connection with the Red River Basin. In that instance the word "advisable" is used. In the provision relating to the Connecticut River Valley the word "justifiable" is used. It seems to me, Mr. President, that a precedent exists for this language, and that by using the word "justifiable" instead of "advisable" the language would be modified at least to the extent stated.

Mr. CAPPER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CAPPER. I have received from John B. Gage, mayor of Kansas City, Mo., a constructive and helpful statement setting forth his views as to the pending flood-control bill. I have great confidence in the judgment of Mayor Gage, and urge the Senate to give his statement serious consideration before the pending measure reaches a vote. I ask unanimous consent to have printed in the RECORD at this point the statement to which I have referred.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The importance of prompt authorization of flood-control works in the Missouri River and its tributaries as provided for in the flood-control bill now before the Senate cannot be overstated. The plans for the Army engineers as modified by agreement with the Bureau of Reclamation to better serve irrigation needs within the basin are unquestionably sound from an engineering standpoint. Carrying them into execution involves only the recognition of a responsibility that is traditionally Federal and not the extension of Federal activity into new fields. The economic benefits to be derived are so vast as to defy description or accurate forecast. The very extent and multiplicity of these economic benefits provokes controversies as to their distribution. It will require years to settle upon and acquire the precise sites and construct the proposed works before these benefits materialize. If authorizations are immediately given through passage of the flood-control bill, there will be more than ample time for Congress to settle these controversies. The questions raised do not challenge but, in fact, further establish the conceded engineering soundness and economic value of the proposed works. The important thing is to immediately approve the construction plans so that sites may be acquired and designs and specifications made ready for the post-war period. Such is the progress that our armed forces and those of our allies are making toward victory, that the time for this preparatory work is all too short.

Here is a program that will more realistically and effectively than any other plan I know about harness the tremendous American technological ability in the field of construction which has amazed the world and done so much to win the war to the pursuits of peace. It will turn these great abilities and energies from the task of destruction to construction enterprise of the highest order. All up and down this great valley once the fear or certainty of recurring flood is removed, both on the farms and in the towns, private enterprise will create and build new improvements, new homes, new barns; new factories by the thousands will arise. The public works themselves proposed by this bill will be but a drop in the bucket as compared with the total utilization of manpower and materials which will develop. New and expanded markets will be created. If the action of Congress is prompt and if the agencies of government more expeditiously act when authorization has been given, it is entirely possible that these new

demands for manpower and materials will exist when in the course of the post-war era the economy of the Nation will have the greatest need for their stimulating effort. If this is to occur, however, there can be no further delay. Let controversies over the distribution of these vast benefits await timely and more adequate consideration in calmer days. Compromise and adjustment of conflicting rights, always properly a part of democratic government, can then be had in a typically American way.

In the proposed O'Mahoney amendment to the flood control bill there appears to be a commitment establishing a priority for irrigation water in large amounts to be taken out of the main stem of the Missouri River near Fort Peck for lands in the Hudson Bay drainage area. I refer to the so-called Souris River project comprising millions of acres. Personally, I seriously question the desirability or propriety at this time of such a commitment. It is by no means certain that there will be a surplus of water in the Missouri River Basin after all beneficial uses within the basin have been provided for.

Furthermore, the construction of the Souris River project would not only divert large amounts of Missouri River water through reservoir construction and underground drainage into Canada, but would also destroy the greatest waterfowl refuges and breeding grounds in the Nation—a project upon which the Federal Government has expended many millions of dollars. It would also permanently commit large volumes of the incidental hydroelectric power developed at Fort Peck to irrigation pumping to carry the water over the divide, and it is at least arguable that such power should be conserved to provide cheap electricity for industrial and other uses in the Dakota and Montana area. It would therefore seem most appropriate that no such commitment to beneficial use outside the basin, of Missouri River water, be made at this time. Here is a matter which, like others that concern beneficial use, should be left to future solution and determination at a time when it can be clearly established that under proper control a surplus of water above all uses both on the lower and upper river actually exists.

This is not to challenge the desirability of an authorization of irrigation works within the Missouri Basin as proposed by the Reclamation Bureau and approved in the joint report of that Bureau and the Army engineers. The reclamation program covering sound irrigation projects as well as a comprehensive soil-conservation program for the entire valley and the conversion of vast areas suitable therefor to expand recreational uses are all parts of an over-all development of the Missouri Valley which in the interests of the future of the Nation must come to pass. This ultimate objective so feasible and readily attainable when men with vision and courage set to work to accomplish it should enlist the active support of Americans in every section of the country for it visualizes a sound central core for the Nation—a heartland not only vastly rich in all the raw materials essential to modern life, but strong and virile in its capacity to produce those materials and fashion them to the uses of man. At the base of all of this, as I see it, lies the problem of the complete and ordered utilization of the water resources of the region. In this, as was the case with countless peoples of the past, rests the limiting factor. Engineering genius has definitely and certainly pointed the way to the substantial removal of that limiting factor. Action lies within the scope of Federal power and is covered in its initial steps by the provisions of the flood control bill. I earnestly hope that the Senate will find it possible to pass the measure before adjournment.

Mr. AUSTIN. Mr. President, returning to my point in answer to the distinguished chairman of the subcommittee,

I may state that the act of 1938 was full of the spirit of usurpation of power. I do not refer to water power. I refer to political power. I venture to say that no legislation appears on the books containing such great centralization of authority as the legislation contained in the flood-control act of 1938, which was passed during the closing hours of the session of that year. It is literally filled with the theory of taking away from the States any right, any discretion, any expression of their wishes, and depositing the authority in the Federal Government. There will be found not only those references which were read by the distinguished Senator from Massachusetts in the 1938 statute, but there will be found many others similar in character and spirit, vesting in two men here in Washington authority to undo what we do here. Let us authorize a certain project for a certain type of dam, and some day we wake up and find that the location of the dam and the type of the dam have been changed.

The 1941 act undertook to remedy much of that. It is quite a different proposition as will be seen when I continue.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. DANAHER. I wonder if the Senator will not allow me to underscore his reference to the 1938 act by the observation that it was passed without any hearings whatever and without any notice to the States of the United States until it was an accomplished fact.

Mr. AUSTIN. I thank the Senator from Connecticut.

Now I will go back and try to answer the distinguished Senator from Louisiana with respect to what Congress did with these modifications in 1941, except in the case of Vermont. On page 640 of 55 Stat. we find this:

The project adopted by the act of June 22, 1936, to provide for local flood control protection works on Otter Creek at Rutland, Vt., is hereby modified—

This is an act of Congress, it will be understood—

in accordance with the recommendation of the Chief of Engineers in Senate Document 171, Seventy-sixth Congress, third session, and is authorized to be constructed substantially in accordance with said recommendation at an estimated cost of \$308,000.

In other words, they did come back to the Congress with the report of the modification, and Congress had a chance to act on it.

Now, let us take another on page 642. Here is a case where a project was abandoned and another substituted under the great scope of the clause relating to modification as it was interpreted:

The project for flood control on the lower Mississippi River adopted by the act of May 15, 1928, as amended by the act of June 15, 1936—

Mr. WHITE. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HALL in the chair). The clerk will call the roll.

The legislative clerk called the roll; and the following Senators answered to their names:

Aiken	Guffey	Radcliffe
Austin	Gurney	Reed
Bailey	Hall	Revercomb
Bankhead	Hatch	Reynolds
Bilbo	Hawkes	Robertson
Brewster	Hayden	Russell
Brooks	Hill	Shlpstead
Buck	Holman	Stewart
Burton	Jenner	Taft
Bushfield	Johnson, Calif.	Thomas, Idaho
Butler	Johnson, Colo.	Thomas, Okla.
Byrd	Kligore	Thomas, Utah
Capper	Langer	Tunnell
Caraway	Lucas	Vandenberg
Clark, Mo.	McClellan	Wagner
Connally	McFarland	Wallgren
Cordon	McKellar	Walsh, Mass.
Danaher	Maloney	Walsh, N. J.
Davis	Maybank	Weeks
Downey	Mead	Wheeler
Ellender	Millikin	Wherry
Ferguson	Murray	White
George	Nye	Wiley
Gerry	O'Daniel	Willis
Gillette	O'Mahoney	
Green	Overton	

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present.

Mr. AUSTIN. Mr. President, I have not concluded the statement which I wish to make in support of the pending amendment, but I desire to confer with my colleague and the representative of the Water Conservation Commission of Vermont, who is here, and with representatives of the States of Massachusetts and Connecticut, upon a possible agreement, and therefore I yield the floor with the hope that I may be recognized later.

Mr. HILL. Mr. President, I have a letter from the Honorable Harold L. Ickes, the Secretary of the Interior, in reference to amendments to the flood-control bill, and I ask that the letter be read at the desk.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

SECRETARY OF THE INTERIOR,
Washington, November 29, 1944.

Hon. LISTER HILL,
United States Senate.

MY DEAR SENATOR HILL: The long-established reclamation policies of the Congress are at stake in the flood-control bill, H. R. 4485. Proposed amendments, which may be debated today, would authorize the Corps of Engineers to develop and dispose of irrigation water storage without regard to the repayment and land policies of the Federal reclamation laws.

These proposed amendments, although not limited in geographical scope, were first sponsored by California interests. Recently, several western Senators have subscribed to them without realizing, I am sure, the serious consequences. I hope that you will inform the Senate of the serious departure those proposed amendments would make from the 40-year-old reclamation policies of the Congress.

It is proposed to modify section 6 of the bill, as reported to the Senate, by providing that, in connection with any dam and reservoir the Corps of Engineers constructs, the Secretary of War may contract for water storage for irrigation and any other beneficial uses on whatever terms the Secretary of War may deem reasonable. There would be no requirement that the water users pay for their benefits under the terms of the reclamation law that now governs Federal irrigation projects. There would be no require-

ment of compliance with the excess-land provisions of the reclamation law which promote family-sized farms and which curb land speculation based on Government benefits.

As a result, approximately \$500,000,000 of accounts receivable from existing Federal reclamation projects would be jeopardized, since all water users on those projects would insist that they should enjoy the most favorable terms that a Secretary of War in his discretionary largess provided for an Army irrigation project. The door would be opened to the monopolization of Federal irrigation benefits by industrialized farm corporations. It would be opened also to the fleecing of war veterans by land speculators.

The proposed amendment of section 6 was not requested by the Chief of Engineers or by the Secretary of War. It was not proposed in the House, nor before the Senate Committee on Commerce. It represents the desire of California interests to obtain the benefits of Federal irrigation development without having to comply with the repayment terms and the excess-land provisions of the Federal reclamation laws.

The proposed amendment of section 6 should be rejected and the section 6 as reported by the Senate committee, or section 4 as passed by the House, should be adopted.

The same California interests initiated a proposed amendment of section 8 in the bill as reported to the Senate. In the form reported, or in the form passed by the House (as sec. 6), that section should be adopted. The Californians' proposed amendment would delete from the section, as reported to the Senate, the provision that dams and reservoirs under the jurisdiction of the War Department may be utilized for irrigation purposes only in conformity with the provisions of this section. By another major revision, the Californians' proposed amendment would exclude the application of the section to any Army dam or reservoir "which supplements any existing locally operated irrigation system or other locally operated water facilities." As might be expected, the projects included in the bill for the great Central Valley area of California (Sacramento-San Joaquin River Basin, p. 31, H. R. 4485) would supplement some existing locally operated irrigation systems. Those projects, therefore, would be left subject only to section 6 which, as the Californians would have it amended, disregards the Federal reclamation laws while placing the Corps of Engineers in the irrigation field.

The President, both orally and in writing, has stated repeatedly that the Kings River project (p. 33, lines 3-19) and the Kern River project (p. 32, lines 13-19) and the other projects proposed for the Sacramento-San Joaquin River Basin, should be authorized for construction by the Bureau of Reclamation under the Federal reclamation laws. As he has pointed out, they should be integrated parts of the Central Valley project which the Bureau of Reclamation has partially completed and placed in operation. I hope that the Senate will give consideration to the recommendations made repeatedly by the President.

I urge that the Senate adhere to the long-established reclamation policies of the Congress and reject the California amendments of sections 6 and 8 that would endanger the future of Federal reclamation development throughout the West.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Mr. HAYDEN. Mr. President, I have just listened to the reading of the letter from the Secretary of the Interior. I should like to make inquiry of the author of the amendment, first, with respect to section 6. Unless it is the intent of those

who have written the amendment to remove from the terms of the Reclamation Act certain projects which combine flood control and irrigation, I can see no necessity for its enactment.

It seems to me that the recommendation made by the Secretary of the Interior with respect to section 6 as it appears in the amendment is well taken, because what the House did in section 4—or section 6, as renumbered by the committee—applies only to domestic and industrial uses. If there is in any flood-control project built by the Corps of Engineers surplus water which might be sold for domestic and industrial uses, the money to be obtained to be placed in the Treasury as miscellaneous receipts, that seems to me to be a very sound proposal. But if we are to collect money from those who are irrigating arid lands, the collection should be under the reclamation law. There should not be two rules.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. CLARK of Missouri. The Central Valley, California, item was stricken in the Committee on Commerce on my motion, on the theory that it had no place in a flood-control bill, that a change in the irrigation laws was a technical subject over which the Committee on Commerce had no jurisdiction, and that it had no business whatever in a flood-control bill. It was also done in response to a letter from the President of the United States to the chairman of the Committee on Commerce opposing a change in the general reclamation laws. It was my opinion, which was adopted by the committee, that a flood-control bill was no place for a change in the general reclamation laws, and that if such a change were to be made, it should come in a separate bill, considered and reported by the Committee on Irrigation and Reclamation, and considered by the Senate as a separate proposal. It has no place in a flood-control bill. To that view I still adhere, and I believe the committee still adheres to it.

Mr. HAYDEN. I believe the committee exercised sound judgment in that regard, because otherwise it would be legislating on a matter beyond the scope of its jurisdiction.

Mr. CLARK of Missouri. And about which we knew nothing.

Mr. HAYDEN. If section 6 were to remain in the bill, as proposed in the substitute, it certainly should be amended so as to eliminate from it any irrigation use of water.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HATCH. Has not the Senator from Arizona already prepared amendments which would take care of the entire situation?

Mr. HAYDEN. I prepared the amendments before I heard read the letter from the Secretary of the Interior as to section 6. Let me say that if section 6 in the proposed O'Mahoney amendment were amended as I would suggest, it would provide that except for irrigation uses, or solely for domestic and industrial uses, these provisions might ap-

ply. Then it would, in effect, be exactly what the committee has already done. If the Senator will look on page 5 of the House bill, at section 4 or section 6 as renumbered, it provides as follows:

That the Secretary of War is authorized to sell to States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses surplus water that may be available at any reservoir under the control of the War Department.

If we eliminate irrigation uses, the only uses which remain are domestic and industrial. So I do not see that it would be any improvement over what is already in the bill to adopt the suggested amendment and insert the words which I had in mind, either "except for irrigation uses" or "for domestic and industrial uses only."

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. O'MAHONEY. Let me suggest to the Senator that this discussion be postponed for a moment, until the amendment to which he is addressing himself is before the Senate. There is another amendment which I should like to present now, and upon which I think there will be no disagreement. Thereafter, with due notice to the Senator, I shall bring up for discussion the two amendments mentioned in the Secretary's letter.

Mr. HAYDEN. I have no objection to postponing the discussion.

Mr. BANKHEAD. Mr. President—

Mr. O'MAHONEY. Mr. President, does the Senator wish to be recognized?

Mr. BANKHEAD. I wish to be recognized.

Mr. O'MAHONEY. I should like to proceed for a few moments.

Mr. BANKHEAD. Very well.

Mr. O'MAHONEY. Mr. President, I desire to offer, as a part of the first section, of which subsection (a) was adopted yesterday, the following, to be subsection (b):

(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

Mr. OVERTON. Mr. President, I suggest that the amendment as read by the Senator from Wyoming be handed to the clerk in order that it may be properly inserted in the bill.

Mr. O'MAHONEY. I left a copy of it at the desk.

The PRESIDING OFFICER. The Chair invites the attention of the Senator from Wyoming to the fact that the so-called Connecticut River amendment has not as yet been disposed of.

Mr. O'MAHONEY. Mr. President, the Chair calls attention to the fact that the Connecticut River amendment has not been disposed of. I thought announcement had been made that the Senator from Vermont and the Senator from Connecticut were in conference

endeavoring to reach an agreement upon that amendment. I ask unanimous consent that the pending amendment be temporarily laid aside, awaiting the outcome of that conference, and that we proceed to the consideration of the amendment which I have offered.

The PRESIDING OFFICER. Without objection, the pending amendment is temporarily laid aside. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

Mr. OVERTON. I have no objection to that amendment.

The PRESIDING OFFICER. Without objection—

Mr. HILL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HILL. What is the purpose of the amendment? Does it conflict in any way with the views expressed by the Secretary of the Interior?

Mr. O'MAHONEY. It does not. As I stated a moment ago, I shall call the attention of the Senate to the controversial amendment when it is reached.

Mr. BURTON. Mr. President—

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

Without objection, the amendment is agreed to.

Mr. BURTON. Mr. President—

Mr. O'MAHONEY. Mr. President, I now offer, on page 7, the following amendment—

Mr. BURTON. Mr. President—

Mr. O'MAHONEY. Mr. President, I have the floor. Does the Senator desire me to yield?

Mr. BURTON. I was endeavoring to get the attention of the Chair in order that I might ask a question with respect to subsection (b), which the Chair announced was agreed to.

Mr. O'MAHONEY. I yield for that purpose.

Mr. BURTON. I should like to inquire with regard to subsection (b), which we have just been discussing. As I understand, that is in precisely the same form in which it was originally presented by the Senator from Wyoming—

Mr. O'MAHONEY. Not exactly.

Mr. BURTON. With the exception that there have been eliminated from it the words "or hereafter" dealing with the construction of projects.

Mr. O'MAHONEY. Yes; the Senator is correct. That change was made so that it would apply only to projects which are authorized in the bill.

Mr. BURTON. I should like to inquire of the Senator from Wyoming whether he will throw a little light on

the effect of the final clause in the section, which reads:

The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

My question relates to the industrial purposes. I can well understand, from having lived in that section of the country myself for a number of years, the close relationship which use of water for "domestic, municipal, stock water, irrigation, and mining" purposes bears to the needs of the territory west of the ninety-eighth meridian. But when we come to the industrial purposes, I wish the Senator would enlarge upon that, because it occurs to me that the effect of the language might be, unless it is otherwise explained, that the water might be taken out of navigable rivers and might be used for industrial purposes which have no relation to the arid or semiarid condition of the region. It might be taken out in large quantities for manufacturing purposes, and thus be detrimental to the irrigation needs.

Of course, such a situation is comparable to the situation in the East, where we have need of water for industrial purposes, but where we cannot take it out to the detriment of navigation.

Will the Senator comment on the situation with reference to the arid and semiarid States, as we find it referred to in the amendment?

Mr. O'MAHONEY. Mr. President, let me say that this language is a recognition of the situation which has long existed and which has found recognition in practice, in the Federal law, and in the State law in the area west of the ninety-eighth meridian. I believe that the rule which should apply in arid areas should be slightly different from the rule which may apply in the eastern States, because of the very fact that the rain in the area west of the ninety-eighth meridian is only a fraction of that which falls in the eastern area.

Industrial consumptive uses have always been recognized. However, I wish to say that I doubt whether there is very much consumptive use of water for industrial purposes in the arid and semiarid regions. I believe the water would be used largely for navigation and irrigation purposes. The situation was examined thoroughly by the Army engineers and the navigation interests, and no substantial reason was suggested for any change of language.

Mr. BURTON. What I had in mind, Mr. President, was the consumptive use which might arise, for example, in connection with a steel mill in which a great deal of water is evaporated, or in connection with the use of water in a chemical plant, in which a considerable amount of water is actually consumed. Such plants might, according to the purport of this language, have priority over use for navigation purposes. As I understand the situation, use for navigation, according to the Constitution, has certain prior

rights, in that under the Constitution we are not permitted to interfere with navigation, which is a Federal function.

I merely wish to make sure that the language under consideration would not result in anything which would be interpreted as authority to permit a large diversion of water for industrial purposes from rivers west of the ninety-eighth meridian, so that it would raise a legal question as to whether it was actually a substantial interference with navigation, which I have understood has a Federal status under the Constitution and cannot be interfered with except to meet actual necessities based on the peculiar need for water in the arid or semiarid States.

Mr. O'MAHONEY. It is my understanding that there would be no such interference and that no such question would be raised. That is not the purpose of the amendment, and I do not believe it would be so interpreted.

Mr. BURTON. I thank the Senator.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MILLIKIN. I do not know what effect this discussion would have on the interpretation the action we are taking, but I believe it was the intention of the Congress in enacting the Desert Land Act—and the Supreme Court has so said in a rather recent decision—that the arid States should have the use of the water for industrial purposes.

Speaking for myself, I do not believe we should limit that privilege which Congress has already given us, and which has been confirmed in the decisions of the Supreme Court of the United States. I, like the distinguished senior Senator from Wyoming [Mr. O'MAHONEY], do not anticipate in the arid and semiarid States any exorbitant demands on water for industrial purposes; but we have no crystal bowl here which we can use to foresee the future, and we certainly do not want to preclude any industrial development which it might be possible to bring about.

From studying the whole history of the policy of Congress with respect to the arid and semiarid States, I think it is very clear that it was intended that we should have the privilege of achieving, if we can, a well-rounded economy, and, of course, that includes some industrial economy.

Mr. BURTON. Mr. President, the point I wish to make, and the one which the Senator from Colorado has been emphasizing, is merely that this provision is a declaration of policy. Therefore, it is subject to amendment by the Congress at any time the Congress wishes to amend it. If it develops that there would be an interference with industrial usage in the East, by comparison, or if there were a very substantial diversion of water for industrial uses having no relation to the arid or semiarid conditions, resulting in interference with navigation, there would be no violation of the present intent if at that time the Senate were so to define its policy as to avoid that situation.

Mr. O'MAHONEY. There is no attempt here to bind any future Congress.

Mr. BURTON. I wish to make clear that a future Congress would not be vio-

lating the present intent if it were to modify the language or policy so as to meet a situation which does not exist at the present time. I wish to endorse heartily the purpose of meeting the needs of the arid and semiarid States, and I wish to do everything possible to preserve and promote their development insofar as it is based on their peculiar geographical situation.

Mr. MILLIKIN. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield.

Mr. MILLIKIN. I should like to add that if the Congress should ever reconsider the policies which have prevailed, nothing which is being said here should prejudice the contentions which might be made either way on the subject.

Mr. O'MAHONEY. Mr. President, I now offer the next amendment, which will be subsection (c) of the section originally offered. I ask that it be read at the desk.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 7, after line 5, it is proposed to insert:

(c) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in par. (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, the proposed works shall not be deemed authorized except upon approval by an act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly.

Mr. OVERTON. Mr. President, there is no objection to the amendment.

The PRESIDING OFFICER. Without objection—

Mr. HILL. Mr. President, am I to understand that the words in lines 17 and 18 on page 7 of the amendment, to wit, the words—

Mr. O'MAHONEY. I assume the Senator refers to the words "on grounds not inconsistent with paragraph (c) of this section."

Mr. HILL. Were those words stricken out?

Mr. O'MAHONEY. Yes; they have been omitted.

Mr. HILL. So I assume there is nothing in the amendment contrary to the views of the Senator—

Mr. O'MAHONEY. Mr. President, I have told the Senate that when a controversial amendment arises I will call the attention of the Senate to it.

Mr. HILL. I may say to the Senator that those amendments on their face do not, of course, show just what they are or what they would do.

Mr. O'MAHONEY. No; but I have told the Senate what I shall do, and I usually keep my word.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). The question is on

agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, we now come to the first of the controversial amendments. The amendment which appears on page 8 of the printed text is one which was agreed to at a Chicago conference called by the group of Senators who were sponsoring the original amendment. The conference was attended by representatives from many Western and Eastern States. We thought that the entire problem was thoroughly canvassed at the conference. Representatives of the Department of the Interior were present. I understood that they had been consulted about this amendment. I now learn that my understanding in that respect was incorrect. I was called away from the conference at the time sections 6 and 8 were under discussion. I was called away by pressing matters of importance, but of an altogether different character. I was therefore not present when the amendments were agreed to. But, Mr. President, in order to get them before the Senate at this time, I propose, on page 5, to strike out lines 8 to 16, inclusive, and insert the provision which I will ask the clerk to read.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 5 of the bill it is proposed to strike out lines 8 to 16, inclusive, and insert the following:

SEC. 6. That the Secretary of War is authorized to contract for water storage for any beneficial uses or purposes with States, legal subdivisions thereof, State and interstate agencies, municipalities, public, quasi public, or private corporations, firms, associations, or individuals on such terms and conditions as he may deem reasonable, when storage capacity for any such uses or purposes is or may be made available at any reservoir now or hereafter constructed by the War Department: *Provided*, That the right to the use of water for such purposes shall have been established by proceedings in conformity with State laws: *And provided further*, That no such water storage shall be in conflict with, or adversely affect, then existing lawful uses of water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. O'MAHONEY. Mr. President, I wish to say a word or two in explanation. The Senate should know that the entire effort of those of us who have been working for these amendments was to bring about coordination and agreement between the Bureau of Reclamation and the Army engineers. As I have already stated, there were before the conference two separate plans for the development of the Missouri Valley. There were other plans involving other States. The flood-control policy envisaged the construction of vast new works which would store great amounts of water, over which the War Department and the Army engineers would have jurisdiction.

Other projects which were offered—and so far as this amendment is concerned they are included in the integrated report of the Bureau of Reclamation and the Army engineers for the Mis-

souri Valley—embraced primarily irrigation and reclamation projects.

It was the thought of those who were sponsoring this amendment that, so far as the War Department is concerned, it should have jurisdiction over those works which are to be constructed primarily for flood control, but if they store surplus waters, such waters should be made available for any purpose, domestic irrigation or otherwise, which residents in the neighborhood or in the vicinity affected may desire. But since it was the purpose to give to the War Department jurisdiction over War Department dams and improvements, and to the Bureau of Reclamation jurisdiction over those which were primarily to be used for reclamation, this amendment is intended as an authorization to the Secretary of War to make contracts for the use of surplus water stored in dams which would be constructed solely by the Army engineers. We then provide that the disposal of water should take into account the fundamental principles which have governed the distribution and use of water in the West. That, Mr. President, was the reason for this amendment.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Arizona.

Mr. HAYDEN. I believe the proposed language goes entirely beyond what the Senator has suggested. It seems to me that so far as the use of water for irrigation is concerned, the language would change the fundamental principle concerning our irrigation law. Section 4 of the House bill, now renumbered section 6, reads:

That the Secretary of War is authorized to sell to States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses—

And so forth. There could be no possible objection to that language because we cannot tell what the circumstances may be, and it is entirely probable that the Federal Government will make reimbursement for a part of the cost of projects by obtaining revenue through the means suggested. But when it is left, as it would be by this language, to the Secretary of War also to sell water for irrigation uses on such terms and conditions as he may prescribe, then we change the basis of the reclamation law.

I believe that by agreeing to this amendment we would be no better off than we would be by retaining the language originally contained in the bill.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. HATCH. I agree with the Senator from Arizona. I should like to add one further thought: It is a matter of great importance to those of us in the Western States who are greatly interested in irrigation and reclamation, to preserve the basic features of the long-established law relating to projects of the nature which we have been discussing. But under the provision as it is now written, it would be entirely possible for the

Army engineers to construct dams and reservoirs, and to supply water for purposes which would be entirely removed from the reimbursable features, as well as the acreage limitations and the other basic foundations of our irrigation law. I suggest to the Senator from Arizona that instead of saying "except for irrigation" we should adopt language confining the application only to domestic and industrial purposes, as the House bill now provides.

Mr. HAYDEN. If that were done, the proposed amendment might just as well be rejected.

Mr. President, I wish to make a statement as a matter of background. In 1914 Senator Marcus A. Smith, who represented my State in this body, was opposed by a candidate in a primary election who said that if he were elected to the United States Senate he would seek to amend the law so that no reimbursements would be made for irrigation charges. His argument was that river and harbor improvements were made without reimbursement, that flood-control works were constructed without reimbursement, or, if there was, reimbursement it was merely nominal, and therefore the same rule should apply to irrigation. It was not my campaign, but I dipped right into it, and I said to the people of the Salt River project, which is one of the great reclamation projects of America, that our lands were being burned up by drought; we asked and plead with the Federal Government to come there under the reclamation law and build a great dam, reservoir, and canal, and we said, "If you come here and do that we will reimburse you for the cost." That was just as solemn an obligation as though a note were signed at the bank to assure that word would be kept. They did keep their word. What is the effect? There is created a revolving fund, as was originally contemplated, and the money which is repaid is used to reclaim lands elsewhere. If we depart from that principle we are doing the entire West and the country as a whole and the Treasury a great injustice.

Mr. HATCH. Mr. President, if the Senator will yield, I want to make it clear that our opposition to this particular language is that it confers possible advantages for which we have never asked and which we ought not to seek.

Mr. HAYDEN. That is exactly the position I take, and, as I have said, that has been my position for 30 years.

Mr. MILLIKIN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Colorado?

Mr. BANKHEAD. Mr. President, I have been trying to get the floor for some time.

Mr. HAYDEN. Mr. President, I yield to the Senator from Alabama, the chairman of the Committee on Irrigation and Reclamation, if I may.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. BANKHEAD. Mr. President, I want to submit a parliamentary inquiry. Would a motion be in order to refer this amendment to the Committee on Irrigation and Reclamation?

gation and Reclamation for its consideration?

The **PRESIDING OFFICER**. The Chair will hold that a motion of that kind would be in order.

Mr. **BANKHEAD**. Then, Mr. President, I make that motion. I am not for or against this amendment because, frankly, I do not know its provisions. As chairman of the Committee on Irrigation and Reclamation, however, I feel that it is my duty in the protection of that committee and of its jurisdiction and of the reclamation laws to object to this kind of procedure attempting to bring about an important and material amendment to the basic law. The discussion which has just taken place fully justifies that position, because it appears that there is a difference of opinion about how far this amendment goes—not that it does not go a part of the way but how far it goes—in changing in a most important way the fundamental law of irrigation and reclamation. If we proceed to enact legislation in this important field by this sort of method, by what might be called a rider to a flood-control program, without any hearing, without any consideration of the changes proposed, without consideration by the committee which has complete jurisdiction of the subject, I submit to the friends of the principle of the irrigation and reclamation laws that they are entering upon a most dangerous proceeding and one which may sooner or later lead to the wreckage of the entire reclamation program.

There are many, in fact, doubtless, there are a large majority of the Members of this body and of the other body who have no direct interest, so far as their constituents are concerned, in the reclamation program, and it might not be difficult to adopt hostile amendments which would have a crippling effect upon this program. I regard it as a great program in the interest of the economy not only of the West but of the entire country, and I should dislike to see adopted a crippling, hamstringing amendment or even amendments that do not appear at this time to be vital but which may become so in the construction and administration of the great program which has been worked out over a period of time by successive legislation, building it up to fit the conditions in the West.

So, whether this is a good amendment or not, I think it should not be entered upon at this time and in this way, and that this important change in the reclamation laws should be referred to the committee which has jurisdiction of irrigation and which has not, as every Member from the West knows, declined to consider or unduly delayed the consideration of any measure sent to that committee dealing with these problems in the West.

Mr. **HAYDEN**. Mr. President, I have listened with interest to the statement made by the Senator from Alabama, the chairman of the Committee on Irrigation and Reclamation. I think the motion he has made is sound and proper and that the Senate should adopt it.

Mr. **MILLIKIN**. I do not rise to resist the motion of the distinguished chair-

man of the Committee on Irrigation and Reclamation, of which I am a member. I do wish to say, however, that section 4, the amendment we have been considering, and the succeeding amendment to be offered have the combined purpose of not subjecting all of the detail of the reclamation law to projects where the Army engineers have a reservoir in the middle of an existing privately owned irrigation system, where those who have that private irrigation system are in independent position to take the water and therefore should not be required to go through all the incidents of a reclamation project started from grass roots.

Mr. **DOWNEY**. Mr. President, in the letter from the Secretary of the Interior which was read a few minutes ago the Secretary very vaguely, and I think with a great deal of confusion, referred to the genesis of this amendment which the Senator from Wyoming has presented as being from California interests. Of course, I do not know what the Secretary means by "California interests." I think it is a most unfortunate way for any Cabinet member to characterize the supporters of any issue.

I do not know of any California Representative or Senator who attended the reclamation meeting about which the Senator from Wyoming spoke when he said that was where this amendment was first discussed. I have not had a single letter from California urging my support of the amendment or even discussing it, and I think it is most unfortunate that under those conditions the Secretary of the Interior has sought to focus the attention of the Senate upon California interests.

As a matter of fact, I think I clearly understand what the Secretary is attempting to do. There will later be before the Senate a controversy over the viewpoint of representatives of the State of California and the viewpoint of the Department of the Interior. I think the Secretary of the Interior is endeavoring in advance to prejudice the understanding of the Senate upon that matter, peculiarly affecting California, a subject totally disconnected and independent from the pending one.

The **PRESIDING OFFICER**. The question is on the motion of the Senator from Alabama [Mr. **BANKHEAD**].

Mr. **OVERTON**. Mr. President, the motion made by the able Senator from Alabama will probably apply to section 8 of the O'Mahoney amendment and section 8 of the pending bill.

Mr. **BANKHEAD**. Let me say to the Senator that it is my purpose, when we reach that section of the bill, to make a similar motion.

Mr. **OVERTON**. I think I am authorized to make this statement: Insofar as the War Department and the Chief of Engineers are concerned, it is immaterial whether these provisions appear in the bill or not. I stated at the outset of the debate on the bill, when I was presenting it, that there are certain irrigation features which were added to the bill at the request of the Secretary of the Interior, and that they were a departure from the policy we have heretofore been following with respect to the considera-

tion of flood control and river and harbor bills. They have been purely authorization bills, authorizing certain projects to be constructed, either for flood control or for navigation purposes. It was, however, at the request of the Secretary of the Interior, and at his very earnest insistence, that these provisions were included.

Section 8, which is by far the most important section, is, according to my recollection, word for word as recommended by the Secretary of the Interior, and I think he was rather insistent on the provision going into the bill. The War Department has no objection to its going in. That is the situation.

Mr. **McFARLAND**. Mr. President, will the Senator yield?

Mr. **OVERTON**. I yield.

Mr. **McFARLAND**. I wish to make a parliamentary inquiry. Does the motion of the Senator from Alabama include the committee amendment, or does it include only the amendment proposed by the Senator from Wyoming?

The **PRESIDING OFFICER**. The motion refers wholly to the amendment offered by the Senator from Wyoming.

Mr. **OVERTON**. Then we will revert to the provisions of the bill, and let that remain as reported by the committee.

The **PRESIDING OFFICER**. That will be a question to be determined.

Mr. **OVERTON**. I have no objection then.

The **PRESIDING OFFICER**. The question is on agreeing to the motion made by the Senator from Alabama that the pending amendment be referred to the Committee on Irrigation and Reclamation.

The motion was agreed to.

Mr. **BANKHEAD**. Mr. President, I gave notice that I intended to make the same motion with reference to the amendment appearing as section 8 of the bill, which has not yet been offered, but which I presume will be offered. If the Senator from Louisiana will offer it now, so that we can proceed to consider it, I shall make the motion about section 8.

Mr. **O'MAHONEY**. I shall be very glad to do that.

Mr. **BANKHEAD**. All the Senator has to do is to offer the amendment, and then I shall make the motion.

Mr. **O'MAHONEY**. Mr. President, on behalf of the group of Senators who sponsored the amendment, I now offer the following amendment, on page 5, to strike out line 25, and on page 6, lines 1 to 11, inclusive, and to insert in lieu thereof the amendment which I send to the desk.

Mr. **BANKHEAD**. Mr. President, I move to refer that amendment to the Committee on Irrigation and Reclamation for its consideration.

Mr. **OVERTON**. A parliamentary inquiry. Should not the amendment be stated?

The **PRESIDING OFFICER**. The amendment as offered will be stated by the clerk.

Mr. **O'MAHONEY**. It comes on pages 8 and 9 of the amendment, pages 5 and 6 of the bill.

The CHIEF CLERK. On page 5, after line 24, it is proposed to insert beginning with line 19 of the amendment:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that in connection with any dam and reservoir project constructed or to be constructed by the Secretary of War—

Mr. OVERTON. A parliamentary inquiry. That is not all the amendment. The amendment should begin on page 5, to strike out line 25.

Mr. O'MAHONEY. I had stated that, and the clerk is just taking up the amendment which is to be inserted.

Mr. OVERTON. I should like to have the entire amendment stated.

The CHIEF CLERK. On page 5, it is proposed to strike out line 25 and on page 6 to strike out lines 1 to 11, inclusive, and in lieu thereof to insert the following as section 8:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that in connection with any dam and reservoir project constructed or to be constructed by the Secretary of War additional works for the diversion and distribution of water may be utilized for irrigation, the Secretary of the Interior is authorized to make a report and findings on the construction of such additional works for the diversion and distribution of water as he may deem necessary for such purposes. Such report and findings shall be made in accordance with and subject to the provisions of the Federal reclamation laws (act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplemental thereto). Within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation. After specific authorization of the Congress by an authorization act, the Secretary of the Interior shall construct, operate, and maintain such additional works in accordance with said Federal reclamation laws and shall be authorized to deliver to such lands such portion of the water made available by said dam and reservoir project as may be set forth in said report and findings of the Secretary of the Interior or as may be otherwise provided by law. The provisions of this section shall not prejudice lawful uses then existing nor water rights or priorities established under applicable State laws, and shall not apply to any dam or reservoir heretofore or hereafter constructed which supplements any existing locally operated irrigation system or other locally operated water facilities, nor shall this section nor the provisions of section 6 hereof apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes.

Mr. BANKHEAD. Mr. President, I now make the motion I gave notice I would make, that the amendment be referred to the Committee on Irrigation and Reclamation.

The PRESIDING OFFICER. The Chair having held that the other motion was in order, will hold that the motion now made by the Senator from Alabama is in order.

Mr. HAYDEN. Obviously, Mr. President, on the face of the amendment, it seeks to amend the Reclamation Act in a flood-control bill, which is something which should not be done. More than that, however, if we look at the end of

the amendment, we find that it states that this change—

shall not apply to any dam or reservoir heretofore or hereafter constructed which supplements any existing locally operated irrigation system or other locally operated water facilities, nor shall this section nor the provisions of section 6 hereof apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers.

In other words, a rule would be adopted which amends the Reclamation Act as to certain projects, and then the Secretary of War would be given blanket authority to do as he pleases with others, so obviously it is a question which should go to the Committee on Irrigation and Reclamation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama [Mr. BANKHEAD].

The motion was agreed to.

NOMINATION OF EDWARD R. STETTINIUS, JR., TO BE SECRETARY OF STATE AND OF MAJ. GEN. PATRICK J. HURLEY TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY TO CHINA

Mr. O'MAHONEY. Mr. President, I desire to call attention—

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CONNALLY. The Committee on Foreign Relations this morning voted unanimously to report favorably the nomination of Mr. Edward R. Stettinius, Jr., to be Secretary of State, and Maj. Gen. Patrick J. Hurley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China. These matters are rather urgent, so I ask unanimous consent, as in executive session, that the Senate proceed to the consideration of these two nominations.

The PRESIDING OFFICER. Is there objection?

Mr. LANGER. I wish to object to the giving of unanimous consent at this time.

The PRESIDING OFFICER. Does the Chair understand that objection has been made?

Mr. LANGER. Yes.

The PRESIDING OFFICER. Objection is heard.

Mr. CONNALLY. Mr. President, will the Senator from North Dakota bear with me for a moment?

Mr. LANGER. Yes.

Mr. CONNALLY. Does the Senator have any objection to either one of these nominees?

Mr. LANGER. There may be.

Mr. CONNALLY. Well, does the Senator have objection? I do not know about "may be."

Mr. LANGER. There may be. I cannot say definitely.

Mr. CONNALLY. Mr. President, I shall ask that the Senate take up for consideration one of the nominations, if it is agreeable. But I wish to observe to the Senator from North Dakota that the handling of matters dealing with foreign relations is very important.

Mr. LANGER. Is the Senator going to ask that the Senate consider the Hurley nomination?

Mr. CONNALLY. Yes.

Mr. LANGER. I have no objection to that.

Mr. CONNALLY. Is the Senator's objection to the nominee for Secretary of State?

Mr. LANGER. There may be objection.

Mr. CONNALLY. The Senator from North Dakota had the opportunity to appear before the Committee on Foreign Relations. He did not appear.

Mr. LANGER. I am very sorry. I had a meeting of a subcommittee of the Committee on the Judiciary of which I am chairman.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. I am in complete agreement with the distinguished chairman of the Foreign Relations Committee that it is advisable that the promptest possible action be had on these nominations, and I express the hope that the Senator from North Dakota will at his earliest convenience reach a determination as to whether or not he is to oppose the nomination of Mr. Stettinius.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I should like to have the RECORD very plain that the action of the committee this morning was unanimous; that the Republican side of the committee was unanimous; and I want to add my own testimony that from my knowledge of Mr. Stettinius I think he is one of the ablest possible successors to Secretary Hull and that I cordially join in the hope that with the least possible delay his nomination may be confirmed.

Mr. CONNALLY. I thank the Senator from Michigan. I had observed in my opening remarks that the action of the committee was unanimous. There was no partisanship. There was no objection made by any outside parties. No Senator raised any objection whatever. I sincerely urge the Senator from North Dakota either to withdraw his objection at this time or, if he is going to oppose the confirmation, that he be prepared to do so at the earliest possible date, because this is a matter which affects, not the welfare of Mr. Stettinius but the welfare of all the people of the United States and the people of the world. We do not want any interruption in the processes of carrying on our foreign relations at this critical period.

I do not care to present either one of the nominations, Mr. President, in view of the objection.

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. O'MAHONEY. Mr. President, I call attention to the fact that by sending to the Committee on Irrigation and Reclamation the proposed amendment to section 6 of the bill, as reported by the committee, that section, as reported by the committee, is now before the Senate. One of the reasons why it was desired

to amend that section was that it provides for the sale by the Secretary of War of water in the West. Ownership of the water does not repose in any individual or in any agents. It reposes in the public. So it was our desire to change this language from an authorization to sell to an authorization to make contracts for the distribution; and so, Mr. President, I now offer a clarifying amendment.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. OVERTON. Before the Senator from Wyoming offers the amendment, there is a committee amendment in section 6 which ought to be acted on first, and then any other amendments may be offered.

The PRESIDING OFFICER. The Chair holds that the committee has the right to perfect the section before it is subject to amendment from the floor. The committee amendment will be stated.

The CHIEF CLERK. On page 5, in line 13 of section 6, after the word "Department", it is proposed to insert "Provided, That no sale of such water shall adversely affect then existing lawful uses of such water."

Mr. O'MAHONEY. Mr. President—

Mr. OVERTON. The committee amendment has not been acted upon.

Mr. O'MAHONEY. I desire to ask the Senator to modify the committee amendment, because of the use of the word "sale." My purpose was to provide for contracts for the water. So I move that the committee amendment be altered so as to read:

Provided, That no contracts for such water shall adversely affect then existing lawful uses of such water.

Mr. OVERTON. There is no objection on the part of the committee to that modification.

The PRESIDING OFFICER. Without objection, the amendment will be so modified.

The amendment, as modified, will now be stated.

Mr. O'MAHONEY. Mr. President, may I now offer the following amendment—

Mr. OVERTON. Mr. President, we have not yet acted on the committee amendment, as modified.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in section 6, on page 5, as modified.

The amendment, as modified, was agreed to.

Mr. BURTON. Mr. President, may I inquire as to the interpretation of other language in the very section with which the Senator from Wyoming is dealing? If we change the word "sale" to "contracts," in the committee amendment in line 13, will it not be necessary to change the language appearing in line 8, on page 5 of the bill?

Mr. O'MAHONEY. Yes. That would also be necessary. I began, however, from the other end, by taking the language in the committee amendment. So, Mr. President, on page 5, in lines 8 and 9, I move to strike out the words "sell

to" and to insert in lieu thereof the words "make contracts with", so that the beginning of the section will read:

That the Secretary of War is authorized to make contracts with States, municipalities—

And so forth.

Mr. OVERTON. Mr. President, there is no objection on the part of the committee to that change being made.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 5, in lines 8 and 9, it is proposed to strike out the words "sell to" and to insert in lieu thereof "make contracts with."

Mr. OVERTON. I again make the observation that there is no objection on the part of the committee to that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, now I desire to call to the attention of the Senator from Arizona—

Mr. BURTON. Mr. President, will the Senator yield to me again?

Mr. O'MAHONEY. Yes.

Mr. BURTON. As a matter of clarification, and as a matter of legal interpretation, I wish to ask the Senator from Wyoming, would it be necessary to change the language in the last sentence of section 6, that is the language "All moneys received from such sales shall be deposited," or would the language be satisfactory as it stands?

Mr. O'MAHONEY. I thank the Senator. The word "sales" should be changed to the word "contracts."

Mr. President, I ask unanimous consent that the word "sales" in line 15 on page 5 be changed to "contracts."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 5, in line 15, it is proposed to strike out the word "sales", and to insert in lieu thereof the word "contracts."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. O'MAHONEY. Now, Mr. President, I desire to call the attention of the Senator from Alabama [Mr. BANKHEAD] and the Senator from Arizona [Mr. HAYDEN] to the fact that the motion which was made to refer to the Committee on Irrigation and Reclamation the proposed amendment to section 8 which I offered earlier in the day, leaves before us the committee amendment which appears on page 6 of the bill. This is a new section 8.

The last proviso of that section, however, is language which came from the House, and it deals precisely with the subject which aroused the interest of the Senator from Nebraska [Mr. WHERRY] and the Senator from Arizona [Mr. HAYDEN]. Let me read that language:

Provided, That this section shall not apply to any dam or reservoir heretofore constructed which supplements any existing locally operated irrigation districts.

The Senator from Nebraska should have an opportunity to present his amendment. The Senator from Ari-

zona has now entered the Chamber. Let me invite his attention to the bill as reported by the committee.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. OVERTON. What is before the Senate?

Mr. O'MAHONEY. There is nothing before the Senate at the moment. I am merely exercising the senatorial prerogative of talking.

Mr. OVERTON. If the Senator from Wyoming will permit me, I think the clerk ought to state the committee amendment appearing in the bill on page 6, after line 11.

Mr. O'MAHONEY. That, of course, is the proper parliamentary procedure, and I have no objection.

Mr. OVERTON. I believe that is the proper procedure. We can then proceed in an orderly way.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 6, after line 11, it is proposed to insert the following:

Sec. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior, that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and, within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing.

Mr. O'MAHONEY. Mr. President, if the Senator from Arizona will look on page 7 of the bill as reported by the committee, he will find that the concluding sentence of section 8 is language which came to the Senate from the House. It reads as follows:

Provided, That this section shall not apply to any dam or reservoir heretofore constructed which supplements any existing locally operated irrigation districts.

That provision was contained in section 8, which the Senate has referred to the Committee on Irrigation and Reclamation. Obviously, nothing will be gained by referring the amendment to the Committee on Irrigation and Reclamation if the language as contained in the bill as it passed the House remains in the bill. I knew that the Senator from Nebraska, as well as the Senator from Arizona, had made some comments about

that precise section, so I wished to give notice before action was taken.

Mr. HAYDEN. Mr. President, it seems to me that it would be the part of wisdom to strike out that proviso, and at least take it to conference. Then there could be no question about the entire matter.

Mr. OVERTON. Mr. President, that question will arise later. The sole question now is on agreeing to the committee amendment. Is there any objection to the committee amendment? The proviso is not a part of the committee amendment.

Mr. HAYDEN. Is it in order to move to strike out the proviso at this time?

Mr. OVERTON. We should act first on the committee amendment. The proviso is not a committee amendment. It was in the bill as it came from the House.

Mr. HAYDEN. Then, as I understand, it will be in order, as soon as the committee amendment is disposed of, to move to strike out the proviso.

Mr. OVERTON. It will be in order.

Mr. HAYDEN. Very well.

Mr. WHERRY. Mr. President, in view of the statement just made by the distinguished senior Senator from Wyoming, I should like to say that I am not offering an amendment to this section. I am ready to vote on the committee amendment. If the amendment to this section as proposed in the so-called O'Mahoney amendment had been agreed to, I would have had an amendment to offer to that section; but inasmuch as that amendment has been referred to the Committee on Irrigation and Reclamation, I have no objection to proceeding to a vote on section 8, which is now before the Senate for consideration. I am in favor of the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, on page 6, after line 11.

The amendment was agreed to.

Mr. HAYDEN. Mr. President, I now move to strike out the proviso on page 7, lines 9 to 11.

The PRESIDING OFFICER. The proviso proposed to be stricken will be stated.

The CHIEF CLERK. On page 7, line 9, after the word "existing", it is proposed to strike out "Provided, That this section shall not apply to any dam or reservoir heretofore constructed which supplements any existing locally operated irrigation districts."

Mr. OVERTON. Mr. President, may I ask the Senator from Arizona to explain exactly why he wishes that language stricken out?

Mr. HAYDEN. Because if we are to proceed in the way the committee has recommended, it ought to be done that way. If not, we should not adopt the amendment. I do not like to see a proposal adopted, and then have an exception made to it when we do not know how broad or how narrow the exception is. Either we ought to do it or we ought not to do it. For that reason, since we are changing the situation and providing for cooperative action, we should have cooperation everywhere. Therefore, I suggest that the proviso be stricken, and taken to conference.

Mr. OVERTON. It will be in conference, and we can work it out there.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. WHERRY. Mr. President, I should like to ask a question of the Senator from Arizona. Will the Senator from Arizona please explain what action was taken?

Mr. HAYDEN. The committee made a recommendation for cooperative action.

Mr. WHERRY. Yes.

Mr. HAYDEN. If we are to have cooperative action, let us have it, and not have an exception to it when we do not know just what the exception means. The language is vague. It says:

Provided, That this section shall not apply to any dam or reservoir heretofore constructed which supplements any existing locally operated irrigation districts.

It ought to be stricken out.

Mr. WHERRY. And it has been stricken out by the Senate?

Mr. HAYDEN. Yes.

The PRESIDING OFFICER. The Senator is correct.

Mr. MILLIKIN. Mr. President, on behalf of my distinguished colleague the senior Senator from Colorado [Mr. JOHNSON] and myself, I offer the following amendment: After the word "existing", in line 9, on page 7, strike out the colon, insert a period, and add the following: "This section shall not apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes."

I should like to explain the purpose of that amendment. It is in the O'Mahoney amendment, but was not in the bill as it came from the House. In the late 1930s an able Representative from Colorado initiated the steps which resulted in the so-called Caddoa Dam on the Arkansas River. It was an odd project, in which irrigation storage was planned and built into it from the beginning, but there were no provisions in the enabling law as to how that storage should be financed, or how it should be handled. Since then there has been a water dispute between the State of Kansas and the State of Colorado involving, among other things, the waters stored in that reservoir. So we do not wish to do anything here that could possibly prejudice these situations. The language which I have proposed will protect them.

The PRESIDING OFFICER. Will the Senator please send his amendment to the desk?

Mr. WALSH of Massachusetts. Mr. President, may I inquire of the Senator from Louisiana whether or not this is the opportune time to renew the discussion with regard to flood control in the Connecticut River?

Mr. OVERTON. There is an amendment pending, which the clerk is about to state.

Mr. WALSH of Massachusetts. I was about to send for the Senator from Vermont if this were the opportune time.

The PRESIDING OFFICER. The amendment offered by the Senators from Colorado will be stated.

The CHIEF CLERK. On page 7, line 9, after the word "existing", it is proposed to strike out the colon, insert a period and the following: "This section shall not apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senators from Colorado.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I now offer the last of these various amendments. I call the attention of the clerk to page 10 of the printed amendments.

On page 20 of the bill, it is proposed to strike out lines 5 to 25, inclusive; on page 21, it is proposed to strike out lines 1 and 2; and on page 7, between lines 11 and 12, it is proposed to insert a new section, which will be numbered section 9. I ask that it be read at the desk.

The PRESIDING OFFICER. The Chair asks that the amendments be stated separately and voted on separately, if there is no objection. Without objection, the first amendment will be stated.

The CHIEF CLERK. On page 20, it is proposed to strike out lines 5 to 25, inclusive, and on page 21 it is proposed to strike out lines 1 and 2.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. On page 7, between lines 11 and 12, it is proposed to insert the following new section:

SEC. 9. (a) The general comprehensive plans set forth in House Document 475 and Senate Document 191, Seventy-eighth Congress, second session, as revised and coordinated by Senate Document 247, Seventy-eighth Congress, second session, are hereby approved and the initial stages recommended are hereby authorized and shall be prosecuted by the War Department and the Department of the Interior as speedily as may be consistent with budgetary requirements.

(b) The general comprehensive plan for flood control and other purposes in the Missouri River Basin approved by the act of June 28, 1938, as modified by subsequent acts, is hereby expanded to include the works referred to in paragraph (a) to be undertaken by the War Department; and said expanded plan shall be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers.

(c) Subject to the basin-wide findings and recommendations regarding the benefits, the allocations of costs and the repayments by water users, made in said House and Senate documents, the reclamation and power developments to be undertaken by the Secretary of the Interior under said plans, shall be governed by the Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), except that irrigation of Indian trust and tribal lands, and repayment therefor, shall be in accordance with the laws relating to Indian lands.

(d) In addition to previous authorizations there is hereby authorized to be appropriated the sum of \$200,000,000 for the partial accomplishment of the works to be undertaken under said expanded plans by the Corps of Engineers.

(e) The sum of \$200,000,000 is hereby authorized to be appropriated for the partial accomplishment of the works to be undertaken under said plans by the Secretary of the Interior.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I understand that all the committee amendments have been disposed of, with the exception of one pertaining to the Connecticut River Basin. Of course, I understand that a small committee amendment pertaining to the Connecticut River Basin still remains to be acted upon. It provides that none of the dams shall be operated for the generation of hydroelectric power.

Mr. WALSH of Massachusetts. Mr. President, I would say to the Senator from Louisiana that the controversy which has taken place yesterday and today between the Senators from Vermont and Connecticut has been adjusted satisfactorily, and an amendment which is agreeable to all concerned is to be offered.

In view of the absence of the Senator from Vermont, who will propose the amendment, I think I should suggest the absence of a quorum.

Mr. OVERTON. Very well.

Mr. WALSH of Massachusetts. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Radcliffe
Austin	Gurney	Reed
Bailey	Hall	Revercomb
Bankhead	Hatch	Reynolds
Bilbo	Hawkes	Robertson
Brewster	Hayden	Russell
Brooks	Hill	Shipstead
Buck	Holman	Stewart
Burton	Jenner	Taft
Bushfield	Johnson, Calif.	Thomas, Idaho
Butler	Johnson, Colo.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Capper	Langer	Tunnell
Caraway	Lucas	Vandenbergh
Clark, Mo.	McClellan	Wagner
Connally	McFarland	Wallgren
Cordon	McKellar	Walsh, Mass.
Danaher	Maloney	Walsh, N. J.
Davis	Maybank	Weeks
Downey	Mead	Wheeler
Ellender	Millikin	Wherry
Ferguson	Murray	White
George	Nye	Wiley
Gerry	O'Daniel	Willis
Gillette	O'Mahoney	
Green	Overton	

Mr. WHITE. Mr. President, I renew the statement made earlier in the day of the necessary absence, upon business of the Senate, of the senior Senator from Wisconsin [Mr. LA FOLLETTE].

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present.

Mr. AUSTIN. Mr. President, I am about to ask permission to perfect my amendment and because, as originally submitted, it was sponsored by a number of Senators, I make a unanimous-

consent request to perfect it. I realize that under the rules, had I submitted the amendment alone I could perfect it myself. But under the circumstances I ask unanimous consent to perfect my amendment.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. AUSTIN. I yield.

Mr. LANGER. Referring to page 10, lines 5 to 7, would the language there contained be included or eliminated?

Mr. AUSTIN. If the amendment is effective in touching the committee amendment, it would delete the language to which the Senator has referred. My amendment does not undertake to deal with that point.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WALSH of Massachusetts. Is there not a separate committee amendment now pending which would deal with the provision referred to?

Mr. AUSTIN. Yes.

Mr. WALSH of Massachusetts. Will the Senator from Vermont yield so that I may ask a question of the Senator from Louisiana?

Mr. AUSTIN. I yield.

Mr. WALSH of Massachusetts. I ask the chairman of the subcommittee if there is not pending an amendment relating to the development of dams in the Connecticut River Valley?

Mr. OVERTON. There is.

Mr. AUSTIN. So I understand the amendment relating to that subject will be discussed separately.

Mr. OVERTON. I so understand.

Mr. AUSTIN. Mr. President, has my unanimous-consent request been acted upon?

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Vermont to perfect the amendment? The Chair hears none, and it is so ordered.

Mr. AUSTIN. Mr. President, I perfect the amendment, as follows: On page 10, I wish to amend by striking out lines 3 to 7, inclusive, and inserting the following:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam other than a flood-control-type dam, on the main stream of the West River in the towns of Dummerston or Newfane, in the State of Vermont: *Provided, further*, That the Army engineers are authorized and directed to construct eight reservoirs in the West River Basin in Vermont instead of the flood-control reservoir authorized by existing law, known as the Williamsville Reservoir in the above-mentioned towns, in accordance with an alternative plan submitted by the Vermont State Water Conservation Board as the same may be modified by agreement between the said board and the Secretary of War and the Chief of Engineers, provided the total costs of the alternative plan shall not exceed the sum of \$11,000,000 and the amount of flood control secured by them at the entrance of the waters of the West River into the Connecticut River shall not be less than 75 percent of the flood control which may be secured from the single so-called Williamsville Reservoir now authorized to be constructed by the Army engineers. Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gayeville in the Connecticut River Basin, or any modification hereafter made of the

comprehensive plan for the Connecticut River Basin in Vermont under authority of the Flood Control Act approved June 28, 1938, or of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WALSH of Massachusetts. Did the Senator mean to strike out lines 3 to 7, inclusive? The language beginning with the word "*Provided*", in line 5 and continuing to the end of line 7, is in the form of a committee amendment and has not yet been acted upon. Therefore there would be nothing at that point to exclude.

Mr. OVERTON. Mr. President, if the Senator from Vermont will yield to me, I may say that if the proposed amendment should be adopted, it would have the effect of striking out the committee amendment.

Mr. WALSH of Massachusetts. In other words, if the amendment were adopted it would eliminate the amendment which has been proposed by the committee, as well as the House text of the bill.

Mr. OVERTON. The Senator is correct. The amendment of the Senator from Vermont would be, on page 10 in line 3, to strike out down to and including line 7, the following language:

That neither this authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site: *Provided further*, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Mr. WALSH of Massachusetts. That makes the situation clear, and it is in accordance with my personal wishes. However, I do not know whether the Senator from Vermont desires to include the language beginning in line 5 and reading as follows:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

My understanding is that if his amendment is adopted the language which I have just read, including the committee amendment, would be stricken from the bill.

Mr. AUSTIN. On that point I understand that in connection with any of the dams which are appropriately so constructed, it would be possible to make of them power dams as well as flood-control dams if an agreement to do so were arrived at between the Federal Government and the State. Another opportunity would be afforded for cooperation, proper consideration having been given to the views of the people at home.

On that point, Mr. President, allow me to say that our great concern has been to protect, if possible, certain interests which were emphasized in the testimony. One interest was recreation. Recreation is of real interest to Vermont. It is not only a human interest, but it turns into cash. Vermonters need the cash.

Another interest was that of agriculture, to avoid unnecessary destruction of any of the good farm lands in the val-

leys affected. I say "unnecessary destruction"; I mean for the purposes of flood control. That policy may still be carried out in spite of the elimination of the committee amendment.

Now I will make a brief explanation of what the perfected amendment would do.

Mr. HILL. Mr. President, will the Senator yield there?

Mr. AUSTIN. I yield.

Mr. HILL. As I understand, the amendment which the Senator from Vermont now offers is in lieu of the committee amendment as well as some language which was in the bill as it passed the House of Representatives. Is that correct?

Mr. AUSTIN. Yes. The language as it passed the House and which is eliminated is as follows:

Provided, That neither this authorization nor previous authorizations shall be construed to authorize the construction of a high dam at the Williamsville site.

And the language which is in the committee amendment is:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

Mr. HILL. All that language goes out, does it not?

Mr. AUSTIN. Yes; it all goes out.

Mr. WALSH of Massachusetts. The committee amendment was not a matter of discussion among the Senators, although it was a matter on which I thought we ought to reach an agreement. It is satisfactory to me personally that those provisions be eliminated; but the controversy was over the language of the House provision rather than the language of the committee amendment.

Mr. AUSTIN. That is correct. Let me state for the RECORD that my colleague and I appreciate the good spirit in which the distinguished Senators from Massachusetts [Mr. WALSH and Mr. WEEKS] and the distinguished Senators from Connecticut [Mr. MALONEY and Mr. DANAHER] cooperated in arriving at the content and language of this amended amendment. We appreciate it greatly, and we are all in harmony on it as it now stands.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to my colleague.

Mr. AIKEN. I should like the RECORD also to show that the Member of the House of Representatives from Springfield, Mass., Mr. CLASON, was present at the conference at which this compromise was agreed upon.

Mr. AUSTIN. That is correct.

Mr. WALSH of Massachusetts. It was suggested to the Member of the House, Mr. CLASON, to whom the Senator from Vermont has referred, that his name be mentioned as one of those who cooperated, but out of his extreme modesty he said he would just as soon not be included. I think, however, he is deserving of having his name appear, for no one in the Congress has been more interested or has been more helpful during the years in urging flood control in the Connecticut Valley.

Mr. AIKEN. I think we should overwhelm his modesty and have his name show in the RECORD.

Mr. AUSTIN. Mr. President, the first part of this amendment as it is now drafted is expressly directed to the West River Basin, that is, the river itself and its tributaries. It provides for the substitution of eight dams for one, the dam mentioned as the Williamsville Dam. Four of the eight dams would be on the West River itself and four of them on tributaries thereof. The plan would include a dam at Mt. Taber on Mt. Taber Branch; a dam on West River called The Island location; a dam on Winhall Brook; a dam on West River at Jamaica; a dam on Whetstone Brook; a dam on West River above Townshend; a dam on Dover Branch above South Newfane, and a dam at the site of the old Williamsville station in the town of Newfane.

It is expected that the carrying out of this plan will accomplish a greater degree of flood control than provided in the limitation contained in this amendment. The limitation on this project is that—

The amount of flood control secured by them—

That is the eight dams—

at the entrance of the waters of the West River into the Connecticut River shall not be less than 75 percent of the flood control which may be secured from the single so-called Williamsville Reservoir, now authorized to be constructed by the Army engineers.

Their own research and planning indicates that if these eight dams are constructed as now planned they will in fact provide for a drainage area of 358.8 square miles or 88 percent of the total area.

Mr. MALONEY. Mr. President, will the Senator from Vermont yield to me?

The PRESIDING OFFICER. Does the Senator from Vermont yield to the Senator from Connecticut?

Mr. AUSTIN. I yield.

Mr. MALONEY. If the Senator is willing, I should like to have it appear in his remarks that as we sought a compromise we were constantly advised by the Army engineers, or a representative of the Army engineers, we wanted to be sure that we were not denying proper flood protection to the lower valley. As we understand, the Army engineers are in accord with the action we propose to take. Is that correct?

Mr. AUSTIN. Mr. President, I cannot speak for the Army engineers, but the engineer who has represented them here, helping the distinguished chairman of the subcommittee in the conduct of this bill, has gone over this text very thoroughly and takes the position that the Army engineers are ready to carry out the design or plan the Congress approves and that they have no objection to the plan here proposed. There was a question on one point, namely, the type of dam at the Williamsville site.

Mr. MALONEY. I know that to be so, because I raised that question myself.

Mr. AUSTIN. The difference is between the use of the words "detention type dam" and "flood control dam," and the Army engineers and the representa-

tive here of the Vermont Water Conservation Commission have gone over that subject fully and have agreed on the language adopted, which is "flood control type of dam," instead of "detention type of dam."

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. AIKEN. I think we might further show in the RECORD that, regardless of what the dam is called, whether a detention, retention, or flood-control dam, we mean that type of dam which permits the water to flow through immediately following a flood as fast as the river below can accommodate it, so that the area back of it will be cleared of water within a reasonably short time after the storm rather than perhaps taking months to be drained off, thus enabling the farmers to use their lands for grazing purposes or any other purpose, perhaps cutting a little hay from it.

Mr. AUSTIN. I think I ought to say that in the conversation between the Army engineers and the representative of the water conservation commission on that point the understanding was that this dam could be of a type having gates in it so that if the crest of a flood on the Connecticut River reached so dangerous a height that it became important for flood control to do so, the dam could be closed completely, and thus stop the flood entirely until the crest of the flood in the Connecticut had passed by the outlet of the West River. The understanding was that type of dam ought to be erected and that it was a better type of dam than one that merely had a fixed outlet in it. So it is understood that the words "flood-control dam," as distinguished from "detention dam," make it possible for gates, or valves, to be constructed in this particular dam in order to obtain the highest degree of control of the water at the peak of the flood. It was also stated that in all probability no good purpose could be served in detaining the water longer than necessary to allow the peak of the flood to pass by the mouth of the West River.

Mr. OVERTON. Mr. President, I wish to make an observation or two, and that will be all I shall have to say in reference to the amendment suggested by the senior Senator from Vermont.

Mr. WALSH of Massachusetts. Mr. President, the Senator from Vermont has only two more clauses in the amendment to explain, and I suggest that we then have the explanation of the Senator from Louisiana. The Senator from Vermont was in the middle of the explanation, and there are only two more clauses.

Mr. OVERTON. I appreciate the Senator's yielding. I shall wait.

Mr. AUSTIN. Another new clause in the amendment is the proviso:

That the total cost of the alternative plan shall not exceed the sum of \$11,000,000.

The estimates relied upon by us in this negotiation are as follows: We have understood that the single dam at Williamsville, as planned, would cost \$3,400,000, and that the eight dams, as we have calculated, would cost \$9,514,240.

In consideration of the protection and the saving of property which would be

made by the choice of the eight dams instead of a single dam, this difference of a million dollars in the cost of the project is entirely reasonable, and from an economic point of view entirely justified. The sum of \$11,000,000 is stated in the bill as a sufficiently generous authorization to take care of errors and estimates, so that we can feel sure that the project is not to be held up on account of the lack of an adequate authorization.

Unless there is question about that, I shall pass on to the last observation I wish to make.

Mr. BAILEY. Before the Senator proceeds, will he yield?

Mr. AUSTIN. I yield.

Mr. BAILEY. The Senator's amendment is a substitute for the portion of the bill appearing on lines 3 to 7, on page 10, and that does away with the Senate committee amendment, "Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power." What is the effect of the Senator's amendment with respect to the generation of hydroelectric power?

Mr. AUSTIN. The effect of the amendment would be to permit the use of the type of dam in which hydroelectric power could be generated if the Army engineers and the officials of the State of Vermont agreed upon it. It merely gives the people of the State a chance to be heard on that question, and it is based upon the knowledge we have of the additional destructiveness to farm lands and to highways, and the creation of a nuisance in the way of exposed wet soil close to highways, which things affect our economic interests, and affect the human elements which are involved in this problem.

It also benefits us in this regard, that in a river valley like that of the Yadkin-Pee Dee, there is the same problem which the distinguished Senator from North Carolina met with respect to the situation in his State. Our problem is that the type of dam, whether for the generation of electricity or not, changes the injury which may be suffered on account of the removal from the valley of houses in case the dam were built for electric generation.

There are other interests of the State to be consulted in connection with the decision as to whether in a certain valley the type of dam shall be one from which hydroelectric power can be generated.

Mr. BAILEY. I think the Senator's amendment provides very properly for advice from the State, but how is that advice to be gotten, from the governor, from the legislature, or from the utilities commission; or in what manner?

Mr. AUSTIN. Subdivision (a) of the amendment offered by the Senator from Wyoming, which has already been accepted, points out the manner. Does the Senator care to have me read that?

Mr. BAILEY. No; if it is in the amendment, I can read it.

Mr. AUSTIN. Very well. A way is pointed out by which to consult the State governments. It is not limited to the State of Vermont, or to the West River Valley, or to any valley. It is a provision which covers the entire United

States and enables all the States of the Union to be heard on the problems which are peculiar to their localities.

On one side of a certain meridian there is no substantial need for irrigation; on the other side there is great interest in it. Of course, the consideration of what the construction of dams will affect on one side of the meridian is different from that applicable to the other side.

We come under the benefit of that provision by the last clause, which I was about to point out. This will be my last comment about this new text. It reads as follows:

Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification hereafter—

And "hereafter" is a new word—

or any modification hereafter made of the comprehensive plan for the Connecticut River Basin in Vermont under the authority of the Flood Control Act approved June 28, 1938, or of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section — of this act.

Now I think that, on my own desire, I shall read paragraph (a):

In conformity with this policy:

(a) Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, submitted by the

affected States and by the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within 90 days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said 90-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

That is all of paragraph (a), and it has been accepted by the Senate, and it is the paragraph to which my amendment refers.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BAILEY. The language is general, but I think it applies to all the projects in the bill.

Mr. AUSTIN. Yes, indeed. It would not have been necessary to mention it in my amendment were it not for the fact that we are dealing with a prior authorization which is not covered by paragraph (a), unless we include such parts of the previous authorization as we wish to have included, and so we name them, we point them out, and we say that on such a valley, and on such a valley, this shall be done. We say that if hereafter any modifications are to be made in the authorized plans, that then such modifications shall come under paragraph (a).

Mr. BAILEY. I take it the Senator's amendment relates to a very special case in which the Senator has to place the language in question.

Mr. AUSTIN. Yes.

Mr. BAILEY. But to the other projects generally the language which the Senator has just read will apply?

Mr. OVERTON. Not as to projects contained in this bill, but projects hereafter undertaken.

Mr. BAILEY. I am speaking about projects which may hereafter be undertaken.

Mr. AUSTIN. Yes.

Mr. BAILEY. I tried to follow the Senator while he was very kindly reading the language. It is very difficult to follow the reading of a long paragraph or the reading of several paragraphs. No preventive power is placed in a State.

Mr. AUSTIN. No.

Mr. BAILEY. The only power is that of conference, or of protest, perhaps.

Mr. AUSTIN. That is true.

Mr. MALONEY. Mr. President, in order that the record may be clear, let me say that it provides a little more power than simply the power to protest. If the governor of the State protests, it provides the power of delaying, the power to demand further consideration.

Mr. OVERTON. If I may be permitted, I think I could clarify the situation. It

would admit of no delay except the delay of 90 days in which the governor or governors must submit a report, which report will be incorporated in the report of the Chief of Engineers. That is the only delay that would occur under the language of paragraph (a) to which the Senator has referred. There is no power in a governor to set aside any project which the Congress has authorized. There is no power to vitiate any act of Congress. The only power as stated by the Senator from Vermont, is one of conference and one of protest.

Mr. AUSTIN. It provides an opportunity to be heard, which is vitally important. It provides for cooperation, which I think will be a new principle in the relationship between the Federal Government and the several States. For many years we have clashed over the subject of States' rights, and when we have had our greatest difficulty it has been simply because there was not provided any machinery or means by which the Federal Government and the State governments could get together and undertake to work out the plans in cooperation. This is a new principle, and I am very much in favor of it.

Mr. BAILEY. I agree with the Senator.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield, so that I may attempt to clarify the matter?

Mr. AUSTIN. I yield.

Mr. WALSH of Massachusetts. The provisions which the Senator from Vermont has read, and which are a duplication of the O'Mahoney amendment which is included in the bill as now drafted, only apply, so far as the Connecticut River Valley is concerned, to four dams, and then only to future changes that may be made in the plans. The word "hereafter" is of vital importance. It does not apply in any other respect to the construction of flood control in the Connecticut River.

Mr. BAILEY. Mr. President, I will say frankly I am very much interested in the undertaking to institute a new and better policy. I am not opposing the proposition, but I am inquiring because of the peculiar situation I am in in North Carolina. The Senator referred to it. I shall not undertake to describe it. The Army engineers said that they proposed to build a dam at a given point for multiple purposes; that is, flood control and the production of electric power. They then proposed to build a dam 30 feet or 40 feet or 100 feet higher, wholly in the interest of the production of electrical energy. Now, does the State have the right under the general provision which the Senator read, to call that in question, and ask for delay, and ask for its views to be considered?

Mr. AUSTIN. I shall state what I understand the situation to be. I understand that that special project was deleted from this bill by an amendment offered by the distinguished Senator from North Carolina. Therefore it is not authorized. Is that correct?

Mr. BAILEY. I had to move to strike out the Yadkin-Pee Dee project, because it would result in so much destruction.

Mr. AUSTIN. Is it not true that it is not an authorized project?

Mr. BAILEY. It has been approved by the engineers, and it was placed in this bill for the purpose of authorization.

Mr. AUSTIN. It has not yet been authorized by Congress.

Mr. BAILEY. It has been stricken from the bill by my amendment.

Mr. AUSTIN. Very well. On that understanding, North Carolina would have the same benefit of this provision, paragraph (a), with respect to the Yadkin-Pee Dee River as any other river. The amendment, which we agreed to, which we refer to as paragraph (a), applies all over the United States.

Mr. BAILEY. The Senator has made it very clear to me, and I thank him.

Mr. AUSTIN. Mr. President, I have no idea of taking the time of the Senate further. I believe after the very considerate attention that has been given by everyone interested to this amendment, and the unanimity of agreement among those who have been specially interested in it, that it ought to be accepted by our colleagues in the Senate.

Mr. OVERTON. Mr. President, I wish to congratulate the Senators from Connecticut, Massachusetts, and Vermont upon having arrived at an understanding with respect to this very controversial matter. I shall not oppose the amendment which has been offered by the very able and distinguished senior Senator from Vermont [Mr. AUSTIN]. I wish to see an end to the controversy upon the floor of the Senate just as soon as possible in order that we may complete consideration of the bill.

However, I wish to make this observation in order that this action may not be used as a precedent hereafter. I do not think it is a wise policy—and it is one which has never been pursued so far as the committees of both Houses are concerned—to agree to the incorporation in a bill of a new project which has not been reported on by the Chief of Engineers and has not undergone committee hearings.

There are eight reservoirs which, by the amendment, the Chief of Engineers is authorized and directed to construct. Those eight reservoirs, on the tributaries of the West River, as I understand, have not been reported on by the Chief of Engineers and have not undergone committee hearings. However, since this problem with reference to the Connecticut River Basin has been before Congress for so many years, and since there is a concord between the distinguished representatives of the three States concerned, I believe that there should be no opposition to the adoption of the amendment by the Senate. For that reason I shall not oppose it, but I do not wish it to be urged hereafter as a precedent.

As I have heretofore said with reference to the Yadkin-Pee Dee project, the action taken in that connection was not the inclusion of a new project which has never been considered. It was the elimination of a project which had been considered. I was perfectly willing to eliminate the project, because it affected only North Carolina, and because the Senator from North Carolina desired that it be deleted from the bill. Therefore I had no objection.

In the State of Pennsylvania there were two reservoirs which I believe affected only Pennsylvania, and which the two Senators from Pennsylvania desired to have eliminated. They were very small and insignificant. That question did not involve the substitution of new projects, and there was no objection to the proposal.

There was a small project in Indiana, and the Senator from Indiana [Mr. JENNER] desired to have it eliminated. His statement on the floor was that it affected only a very small area within the State of Indiana. From my own knowledge of that project, I should say that in a rather remote and perhaps insignificant way, it does affect the flood waters of the Mississippi River, because it is on a tributary of the Mississippi River; but I thought that that was too remote to give any importance to it.

Those are the exceptions which I think might be held against me; but in the future I do not wish to have any Senator say on the floor that we must agree to some new project because the two Senators from the State in which the project is located desire its inclusion in the bill, even though it has not undergone engineering investigation and committee hearings.

To repeat, I am very happy that at long last there is, so far as the Senate can go, apparently an amicable settlement of this controversy.

Mr. WALSH of Massachusetts. Mr. President, we can all understand the fear and apprehension which the distinguished Senator from Louisiana entertains toward accepting legislation which has been framed outside the committee, and through a compromise reached by various Senators. We are grateful to him for his graciousness and for his willingness to accept the decision which we have made after much deliberation.

In my own name, and in the name of my distinguished colleague [Mr. WEEKS], as well as in the names of the Senators from Connecticut, I wish to express appreciation to both the distinguished Senators from Vermont for their willingness to cooperate with us in reaching this agreement.

We had two objectives which were entirely in conflict with each other. The objective of the Senators from Connecticut and Massachusetts was to protect the lives of their people and the property of their people against floods coming down through the waters of the Connecticut River from the State of Vermont, where the headwaters are. The objective of the Senators from Vermont—a very worthy and praiseworthy one—has never been to prevent reasonable flood-control protection to the States below the State of Vermont. They have strenuously and insistently, over a long period of time, insisted in adopting flood-control projects that nothing more than was absolutely necessary should be done in the way of usurpation of property or prevention of the conservation of their territory. That has been their position, if I correctly understand it.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. AUSTIN. That is a very gracious statement, Mr. President, coming from the dean of the New England delegation in the Senate. It is very pleasing to us. The recognition of years of amicable relationship among us in general, and especially upon the subject of flood control, in which we have interests which seem to be in opposition to each other, is characteristic of the distinguished Senator from Massachusetts, who has just spoken. On behalf of my colleague [Mr. AIKEN] and myself, as well as the whole State of Vermont, I wish to have the RECORD show our gratitude.

Mr. WALSH of Massachusetts. I thank the Senator. I ought to say to the Senator that we fully sympathize with the point of view of the Senators from Vermont. I myself, when alone and thinking of this problem, had many pictures come to my mind of the beautiful valleys and fertile soil along the Connecticut River in Vermont which would be submerged when it became necessary to establish flood-control projects, and I have therefore had an understanding of the attitude of the Senators from Vermont.

Mr. President, we have achieved what seemed to be the impossible. The Senators from Massachusetts and Connecticut, with the assistance of a very able and distinguished Member of the other House [Mr. CLASON], who has collaborated with us so faithfully and so well, and who perhaps knows this subject better than anyone else, have achieved the seemingly impossible. We feel that when these reservoirs are built we shall have obtained control of the floods which have swept down upon the prosperous cities and towns of Massachusetts and Connecticut. I believe also we have agreed to the minimum amount of sacrifice which the State of Vermont ought to be asked to make; and we appreciate exceedingly the cooperation which the Senators from Vermont have given us in reaching this very happy solution of a difficult and long-drawn-out contest. We can hereafter march forward together with a united front for all things which will benefit New England.

The PRESIDING OFFICER (Mr. LUCAS in the chair). The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY], as modified by the amendment of the Senator from Vermont [Mr. AUSTIN], as a substitute for the language on page 10, in lines 3 to 7.

Mr. AIKEN. Mr. President, I should like to say just a word. First, I desire to thank the senior Senator from Massachusetts [Mr. WALSH] for the kind words and the cooperation of himself and his associates, his colleague the junior Senator from Massachusetts [Mr. WEEKS], and his colleagues the Senators from Connecticut. Vermont has never objected to protection for the States down the Connecticut River. I have worked with the Senator from Massachusetts for a great many years, beginning in 1936 and 1937, to achieve the protection which all of us have sought. We have—and, I think, rightfully—insisted that such protection be afforded with a minimum of damage to our State.

It seems to me that the agreement reached here this afternoon attains that end, and that the program can go forward providing for the protection of the people of Massachusetts and Connecticut, while at the same time depriving Vermont of as little of her resources as possible.

Furthermore, I wish to say that while I had objected to the blanket prohibition against production of power on the tributaries of the Connecticut River from the federally constructed dams, yet it appears to me that the amendment leaves the way open for the generation of whatever power can be generated at the dams where the production of power is feasible. In the State we have dams at which the production of power, while possibly bringing a few dollars into the Treasury, would take much more from our citizens; but we have other sites where power can be developed without doing excess damage to the community. I think the amendment leaves the way open to such development for that purpose.

Again I wish to thank my colleagues and to express appreciation of the work of my own colleague from Vermont in reaching this agreement.

Mr. BAILEY. Mr. President, I hesitate to intrude upon this very delightful and commendable love feast, but I have a request from a distinguished Member of the Senate. The senior Senator from Florida [Mr. ANDREWS] has sent me an amendment, together with the statement that he is ill. He requests me to offer the amendment in his name. I send it to the desk and ask unanimous consent that it be received on behalf of the Senator from Florida, with a view to having it called up at the proper time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LANGER. Mr. President, I should like to take this opportunity to thank the Senators from Vermont, Connecticut, and Massachusetts for their very great kindness in helping North Dakota, this afternoon, by the adoption of the Missouri River Basin section of the O'Mahoney-Millikin amendment, which will give North Dakota approximately 1,200,000 acres of irrigated land. Let me add that thus far the only irrigated land in North Dakota has amounted to 21,615 acres, whereas our neighboring State of Montana has had 1,711,409 acres of irrigated land.

On behalf of my State, I wish to express my great thanks for the support given to that portion of the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming [Mr. O'MAHONEY], as modified by the amendment of the Senator from Vermont [Mr. AUSTIN], offered as a substitute for the language on page 10, in lines 3 to 7. [Putting the question.]

The amendment as modified was agreed to.

Mr. WHERRY. Mr. President, on behalf of the junior Senator from Oregon [Mr. CORDON], I desire to call up at this time his amendment proposed on page 4, in line 11. The amendment is a non-

controversial one, and I understand there is no objection to it.

Mr. OVERTON. There is no objection to it.

Mr. HILL. Mr. President, may the amendment be stated before action is taken upon it?

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 11, after the period, it is proposed to insert the following: "No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. WHERRY. Mr. President, I also have been requested by the junior Senator from Oregon [Mr. CORDON] to announce that he will not propose the printed amendments on page 3, line 11; on page 3, line 12; and on page 3, in line 15. He has written a short paragraph in explanation of why he will not offer those amendments to the bill. I ask unanimous consent that his explanation be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I also presented an amendment providing that all dams constructed under the flood control shall contain suitable and necessary means for protection of fish life in the several rivers involved. I have reached the conclusion, however, that the subject of fish protection is of such vital importance that it should be dealt with in a separate bill, and only after full consideration of all the factors involved.

For those reasons I shall not offer the amendment in question to the pending bill.

Mr. AIKEN. Mr. President, several days ago I submitted an amendment on behalf of the Senator from New Hampshire [Mr. TOBEY]. I send it to the desk and ask that it be stated. I understand there is no objection to it.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 10, line 5, after the word "site", it is proposed to insert a colon and the following: "Provided further, That neither this authorization nor any previous authorization shall be construed to authorize the construction of a dam or reservoir at the Sugar Hill site on the Ammonoosuc River."

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. GURNEY. On this same matter I wish to say that the senior Senator from New Hampshire [Mr. BRIDGES] asked me to offer a similar amendment with respect to the same site. With the Senator's permission, I should like to request that there be printed in the RECORD at this point a letter I have received this afternoon from the office of the Senator from New Hampshire [Mr. BRIDGES] with respect to this matter. The letter shows that he is in agreement with the junior Senator from New Hampshire [Mr. TOBEY] in requesting that the amendment be approved.

Therefore I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
November 29, 1944.

Hon. CHAN GURNEY,
United States Senate,
Washington, D. C.

DEAR SENATOR GURNEY: Relative to the amendment to H. R. 4485 which you submitted in behalf of Senator BRIDGES and which amendment, in effect, calls for the elimination of the construction of a reservoir at what is known as the Sugar Hill site, the following facts may be of value to you when action is taken on this matter.

The flood control bill of 1936 set up a series of reservoirs to be established for flood-control purposes. The site chosen at the time of the passage of this bill for a flood-control dam in the particular district in question was known as the Bethlehem Junction site and, I believe, at that time no objection was raised to that particular site. Further plans were developed and approved in 1938, and the present Sugar Hill site was substituted for the Bethlehem site. Serious objections are being raised by inhabitants of the communities affected by the construction of a dam and a reservoir on this site.

A dam and reservoir at the Sugar Hill site will flood a branch line of the Boston & Maine Railroad, which serves the territory between Woodsville, N. H., and Berlin, N. H. It is my understanding that the railroad would be reimbursed in the amount of \$1,500,000, covering the loss of right-of-way. The welfare and industry of 9 towns, each with a population of 2,000 or more inhabitants, would be affected by the loss of this railroad.

The particular site chosen is in the heart of the White Mountain area, which area has a considerable revenue from tourist and recreational business. The financial loss which the communities would suffer as a result of no railroad service can be easily understood. This is particularly true during the winter season as the communities to be affected have developed an extensive winter recreational program, and are wholly dependent upon train service from Boston and New York areas for their clientele.

It is further estimated that farm lands in the value of \$1,500,000 would be directly affected by the construction of this dam and reservoir. This particular section of New Hampshire is very hilly and mountainous, and farm land is at a premium. Therefore any loss in farm properties such as is estimated would be a most serious blow to the communities involved.

Sincerely yours,

CARL W. CORLISS,
Secretary to Senator Bridges.

Mr. AIKEN. Mr. President, I understand that the Army engineers do not wish to have a dam constructed there anyway, so I do not see why there should be objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN] on behalf of the Senator from New Hampshire [Mr. TOBEY].

The amendment was agreed to.

Mr. WHERRY. Mr. President, on behalf of the junior Senator from Delaware [Mr. BUCK], who is unable to be present at this time, I offer an amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 38, after line 22, it is proposed to insert a new paragraph, as follows:

Rehoboth Beach, Bethany Beach, Lewes, and Fenwick Island, Del., and other points along the Delaware coast, with a view to providing protection against damage resulting from erosion and from floods due to wind and tide.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska in behalf of the junior Senator from Delaware [Mr. BUCK].

The amendment was agreed to.

Mr. OVERTON. Mr. President, on behalf of the senior Senator from Oklahoma [Mr. THOMAS] I offer the amendment, which I send to the desk and ask to have stated. I may say that I have no objection to the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 39, after line 18, it is proposed to insert the following:

Big Canyon on Washita River in Murray County, Okla.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the senior Senator from Louisiana [Mr. OVERTON] in behalf of the senior Senator from Oklahoma [Mr. THOMAS].

The amendment was agreed to.

Mr. CAPPER. Mr. President, I offer an amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 22, after line 4, it is proposed to insert the following: "Provided further, That neither this authorization nor any previous authorization shall be construed to authorize the construction of a dam or reservoir at the so-called Tuttle Creek site on the Big Blue Kansas River, a tributary of the Kansas River in Kansas."

Mr. CAPPER. Mr. President, a protest meeting was held at Topeka, Kans., about 3 weeks ago which was largely attended by the officials of the county, and without exception they were all opposed to any action of the kind proposed to be taken. They have asked their Senators to do everything they could to have the pending measure amended along the lines set forth in the amendment which I have just offered. I do not believe there is any opposition in Kansas to the amendment.

Mr. OVERTON. Mr. President, I find that sometimes projects are suggested to a committee together with the statement that there is no opposition to the project, and later a great deal of local opposition develops because many of the local people had not previously been advised of the project. I have also found it to be true that sometimes when a statement has been made in perfectly good faith that there was no opposition to the elimination of a project, objection was made later. The project referred to in the amendment is not local. It is situated in the Missouri River Basin. It is a very important project. I cannot consent to the elimination of the project, or an amendment to do so, when no hear-

ing has been held upon the matter and when it is a part of a comprehensive program.

Mr. REED. Mr. President, I inquire if the chairman of the subcommittee is unable to accept the amendment which has been offered by the senior Senator from Kansas [Mr. CAPPER]. In the first place, construction of Tuttle Creek Dam has not been actually authorized.

Mr. OVERTON. If it has not been authorized there is no purpose in asking that it be eliminated.

Mr. REED. A meeting was held at Topeka, as the senior Senator from Kansas has said, at which both he and I were present. The meeting was widely attended. So far as I know, there is no opposition in Kansas to the elimination of the project. There is no support for it in the valley affected, which is one of the most important and fertile valleys in Kansas, and which would be almost entirely destroyed if the project were constructed.

Mr. OVERTON. Am I correct in understanding the Senator to say that the project has not been authorized by Congress?

Mr. REED. That is my impression.

Mr. OVERTON. Then, there is no necessity of offering an amendment relative to it.

Mr. REED. Mr. President, I did not know until today that the senior Senator from Kansas had intended to offer the amendment.

Mr. OVERTON. It was my recollection that the project has been authorized.

Mr. REED. May I inquire of the senior Senator from Louisiana whether he anticipates a vote upon the bill as a whole tonight?

Mr. OVERTON. I think we will reach a vote.

With reference to the amendment, Mr. President, I may say that I will take it to conference.

Mr. REED. Very well. The senior Senator from Louisiana says that he will take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kansas [Mr. CAPPER].

The amendment was agreed to.

Mr. REED. I thank the Senator from Louisiana.

USE OF GOVERNMENT-OWNED SILVER FOR WAR PURPOSES

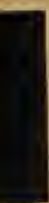
Mr. AIKEN obtained the floor.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MALONEY. Mr. President, I have asked the Senator from Vermont to yield in order that I might make a unanimous-consent request that the pending bill be temporarily laid aside. If my request is granted, I shall then move that the Senate proceed to the consideration of Senate bill 1954, a bill introduced by the Senator from Rhode Island [Mr. GREEN], known as the silver bill. It authorizes the extension of existing legislation for 1 year.

7/10
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OFFICE OF BUDGET AND FINANCE
Legislative Reports and Service Section

78th-2nd, No. 166

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued December 1, 1944, for actions of Thursday, November 30, 1944)

(For staff of the Department only)

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HOUSE

1. WAR POWERS. Passed as reported H. R. 4933, to extend the Second War Powers Act (pp. 8757-70). (For provisions see Digest 165.)
Rejected amendments by Rep. Gwynne, Iowa, to strike out the Committee amendment and insert a prohibition on the imposition of penalties, fines, or sanctions unless specified by statute and expressly delegated to such agency by lawful authority, by a 49-57 vote (pp. 8766-70); and by Rep. Folger, N. C., to provide that the authority given to the district courts to set aside orders, etc., shall not apply to order of suspension as to priority grant or allocation resulting from a determined general requirement for the effective prosecution of the war, by a 7-95 vote (pp. 8769-70).
2. FORESTRY. Rep. Brown, Ohio, announced that he would request the Rules Committee to grant a rule for the consideration of H. R. 2241, to abolish the Jackson Hole National Monument and to restore the area included therein to the Teton National Forest (p. 8755).
3. VETERANS; PERSONNEL. Concurred in the Senate amendments to H. R. 5386, to change the period from 40 to 90 days in which a veteran may make application for the job which he held at the time of his induction; and to provide that if hospitalized for not more than one year following his discharge, the 90-day time shall not begin until the termination of hospitalization (pp. 8770-1). This bill will now be sent to the President.
4. APPROPRIATIONS. Received from the President a proposal to increase by \$13,000,000 the limitation on expenditures under the 1944 program of soil-building practices and soil and water-conservation practices established in the fourth proviso clause of the 1944 "Conservation and use of agricultural land resources" appropriation. This increase in limitation does not require the appropriation of any additional funds, and was proposed because participation of farmers in the program, particularly in the Southern Region, was greater than had been anticipated. Unless the limitation is increased, conservation practice payments will have to be reduced below the announced rates. (H. Doc. 793.) To Appropriations Committee. (p. 8772.)

Received from the President supplemental appropriation estimates for payment of judgments rendered by the U. S. district courts (H. Doc. 790), judgments rendered by the Court of Claims (H. Doc. 797), claims allowed by GAO (H. Doc. 799), and payments of claims for damages to privately owned property (H. Doc. 800). To Appropriations Committee. (p. 8772.)

SENATE

5. ROAD-AUTHORIZATION BILL. Sens. McKellar, Hayden, Bailey, Reed, and Langer were appointed conferees (p. 8739). House conferees have not yet been appointed.
6. NOMINATION. Confirmed, 68-1, the nomination of Edward R. Stettinius to be Secretary of State (pp. 8716-38, 8754). During discussion of the nomination, Sens. Langer, N. Dak., and Aiken, Vt., discussed the St. Lawrence Seaway and Missouri Basin with respect to transportation, electrification, and irrigation, and Sen. Langer inserted excerpts from letters and speeches indicating Morgan and Company's opposition to these projects (pp. 8722-36).
7. TRANSPORTATION; LAND-GRANTS. Agreed to have printed Sen. Reed's (Kans.) individual views on H. R. 4184, to repeal land-grant rates for military and naval traffic (H. Rept. 1208, pt. 2) (p. 8716).
8. FLOOD CONTROL. Continued debate on H. R. 4485, the flood-control bill (pp. 8740-53).
Debated the Murray (Mont.) amendment to transfer the civilian construction functions of the Army engineers, in the West, to the Bureau of Reclamation (pp. 8740-53).

ITEMS IN APPENDIX

9. ROAD AUTHORIZATIONS. Speech in the House by Rep. Abernethy, Miss., in support of his amendment (agreed to Nov. 29) to increase the authorization for national park roads and trails from \$15,000,000 to \$30,000,000 (pp. A4907-8).
10. INFLATION. Rep. Patman, Tex., commended the inflation-control program and inserted the President's letter on this subject and a Washington Post article on OWI's statement "that runaway boom on farm values is feared" (pp. A4913-4).
11. PRICE CONTROL. Sen. Capper, Kans., inserted Price Administrator Bowles' National Grange speech on OPA's efforts to aid "Farmers in the War" (pp. A4919-22).
12. FOREIGN TRADE. Extension of remarks of Rep. Robertson, Va., including a National Planning Association's report, urging international cooperation in the discussion and planning for post-war foreign trade (pp. A4922-3).
13. STATE FAIRS. Extension of remarks of Rep. Gillie, Ind., urging the "return of State fair grounds by the Federal Government," and stating that "the continued welfare of our purebred livestock industry is greatly dependent on the ... resumption of our State fairs" (pp. A4923-4).

BILLS INTRODUCED

14. TOBACCO: BUREAUCRACY. By Rep. Jennings, Tenn., H. R. 5562, "relating to burley tobacco of the 1944 and 1945 crop." Rep. Jennings stated that the purpose of the bill is "to prevent the bureaucrats from taking away from the [tobacco] farmers what they have earned" (pp. A4908). To Agriculture Committee. (p. 8773.)

So the nomination of Edward R. Stettinius, Jr., to be Secretary of State was confirmed.

Mr. CONNALLY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination of Mr. Stettinius.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and the President will be notified forthwith.

FOREIGN SERVICE

The legislative clerk read the nomination of Maj. Gen. Patrick Hurley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China.

Mr. CONNALLY. Mr. President, I move that the nomination of Gen. Patrick J. Hurley as Ambassador to China be confirmed.

The motion was agreed to and the nomination was confirmed.

POSTMASTERS

The legislative clerk proceed to read sundry nominations of postmasters.

Mr. HILL. I ask unanimous consent that the postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. HILL. Mr. President, I ask unanimous consent that the President be notified forthwith of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

LEGISLATIVE SESSION

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

MEETING OF SENATE BANKING AND CURRENCY COMMITTEE

Mr. WAGNER. Mr. President, I announce that the Banking and Currency Committee is continuing its hearings on very important matters, and I hope all members of the Banking and Currency Committee will at once return to the committee room.

SETTLEMENT OF ACCOUNTS OF DECEASED OFFICERS AND ENLISTED MEN OF THE ARMY

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1795) to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army, which was to strike out all after the enacting clause and insert:

That the portion of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes", approved June 30, 1906 (34 Stat. 697, 750; 10 U. S. C. 868), relating to the settlement of accounts of deceased officers and enlisted men of the Army, which reads: "Hereafter, in the settlement of the accounts of deceased officers or enlisted men of the Army, where the amount due the de-

cedent's estate is less than \$500 and no demand is presented by a fully appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if decedent left no widow, or the widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts, provided the father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes: *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers", is hereby amended to read as follows:

"Hereafter, in the settlement of the accounts of deceased officers or enlisted men of the Army, where the amount due the decedent's estate is less than \$1,000 and no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow the amount found due to the decedent's widow or legal heirs in the following order of precedence: First, to the widow; second, if decedent left no widow, or the widow be dead at time of settlement, then to the children or their issue, per stirpes; third, if no widow or descendants, then to the father and mother in equal parts, provided the father has not abandoned the support of his family, in which case to the mother alone; fourth, if either the father or mother be dead, then to the one surviving; fifth, if there be no widow, child, father, or mother at the date of settlement, then to the brothers and sisters and children of deceased brothers and sisters, per stirpes. Where the amount due the decedent's estate is \$1,000 or more and no demand is presented by a duly appointed legal representative of the estate, the accounting officers may allow \$1,000 of the amount due to the estate to the widow or legal heirs in the order of precedence hereinabove set forth. *Provided*, That this act shall not be so construed as to prevent payment from the amount due the decedent's estate of funeral expenses, provided a claim therefor is presented by the person or persons who actually paid the same before settlement by the accounting officers."

Mr. HILL. Mr. President, this bill simply changes the law of 1906, which provided that when a member of the armed services died or was killed in the service, his widow or legal heirs could collect up to \$500 from the General Accounting Office, without going to the expense and delay of having an administration of the estate, and having an executor or administrator appointed. What the bill does is to change that law so as to raise the amount from \$500 to \$1,000. The bill does not involve any claim against the Government. It involves merely the collection by the widow or legal heirs of the pay which the Government of the United States owes the widow or legal heirs, and is designed to save the expense and delay of issuing letters of administration.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHITE. As I understand, this bill relates only to the disposal by the

proper authorities of the Government of accrued pay owing to the member of the armed forces.

Mr. HILL. The Senator is correct.

I move that the Senate concur in the House amendment.

The motion was agreed to.

FEDERAL AID FOR POST-WAR HIGHWAY CONSTRUCTION

The PRESIDING OFFICER (Mr. STEWART in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2105) to amend and supplement the Federal-Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad-grade crossings, to provide for the immediate preparation of plans, and for other purposes.

Mr. McKELLAR. I move that the Senate disagree to the amendment of the House, ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. HAYDEN, Mr. BAILEY, Mr. REED, and Mr. LANGER conferees on the part of the Senate.

OLIVER N. KNIGHT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1827) for the relief of Oliver N. Knight, which was, on page 1, line 6, to strike out "\$20,-442.16" and insert "\$22,992.16."

Mr. ELLENDER. I move that the Senate concur in the House amendment.

Mr. WHITE. Mr. President, will the Senator indicate just what the amendment is?

Mr. ELLENDER. The House has increased an allowance made by the Claims Committee, by about \$2,000, and I now move that the Senate concur in the House amendment.

The motion was agreed to.

Mr. ELLENDER subsequently said: Mr. President, a while ago I moved that the Senate concur in the amendment of the House to Senate bill 1827, an act for the relief of Oliver N. Knight. That was made by me under a misapprehension of the facts in the case.

I have consulted the distinguished senior Senator from North Carolina [Mr. BAILEY], who originally introduced the bill, and he has no objection to the motion which I am about to make.

I now move to reconsider the vote by which the Senate concurred in the House amendment, that the Senate ask for a conference with the House thereon, and that the Chair appoint conferees on the part of the Senate.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LANGER. What is the nature of the bill?

Mr. ELLENDER. The bill concerns a claim for the relief of Oliver N. Knight,

whose entire family was wiped out in an airplane accident.

Mr. LANGER. I thank the Senator.

The PRESIDING OFFICER. The question is agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Presiding Officer (Mr. MAYBANK in the chair) appointed Mr. ELLENDER, Mr. STEWART, and Mr. ROBERTSON conferees on the part of the Senate.

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. LA FOLLETTE. Mr. President, I have received a telegram from the president of the Wisconsin Farmers Union relating to the flood-control and rivers and harbors bill, which at his request I ask be inserted in the RECORD as a part of my remarks.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

CHIPPEWA FALLS, WIS., November 28, 1944.

Senator ROBERT M. LA FOLLETTE,

Senate Office Building:

Present flood-control and rivers and harbors bill should be delayed until next session. They do not fulfill needs of people. Both M. V. A. and St. Lawrence waterway projects as now proposed a waste of public funds to serve all the people. Wisconsin Farmers Union on record for a complete program in development of natural resources that will serve farmers and others to the fullest utilization of projects. Insert in CONGRESSIONAL RECORD.

WISCONSIN FARMERS UNION,

K. W. HONES, State President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY], at the end of section 2, line 19, page 2, of the bill, to insert new matter.

The amendment of Mr. MURRAY is as follows:

At the end of section 2, line 19, page 2, insert: "Provided, That all functions, powers, duties, and projects of the Secretary of War, the Chief of Engineers, and the Corps of Engineers with respect to the examination, survey, construction, operation, and maintenance of western water conservation reservoirs owned or controlled by the Federal Government, or with respect to any works of improvement appurtenant to such reservoirs, whether heretofore, herein, or hereafter authorized for examination, survey, construction, operation, or maintenance, are hereby transferred to the Secretary of the Interior and shall be administered, under his direction and supervision, by the Bureau of Reclamation in the Department of the Interior. The term 'western water conservation reservoirs' as used in this section shall be deemed to include all reservoirs which are used, or capable of being used, in whole or in part for the conservation, storage, or detention of water, including flood control, or for the reclamation of arid or semiarid lands, and which are located in the States of Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming: *Provided further*, That all records and property (including office equipment, machinery, supplies, facilities, contracts, and assets of every kind, but ex-

cluding property needed in the conduct of military operations) used primarily in the administration of any such functions, powers, duties, and projects shall be transferred to the Department of the Interior for use in connection with the administration of said functions, powers, duties, and projects: *Provided further*, That all civilian personnel engaged primarily in the administration of any such functions, powers, duties, and projects shall be transferred to the Department of the Interior for use in connection with the administration of such functions, powers, duties, and projects. Any of the civilian personnel transferred under this section who are found by the Secretary of the Interior to be in excess of the personnel necessary for efficient administration of the activities covered by this section shall be retransferred under existing law to other positions in the Government service or shall be separated from the service. Any person whose employment is terminated on account of a reduction of personnel resulting from the operation of this order shall, for a period of 1 year from the date of such termination of employment, be given preference, if qualified, whenever an appointment is made in the executive branch of the Government: *Provided further*, That so much of the unexpended balances of appropriations, authorizations, allocations, or other funds heretofore or hereafter made available for use in the administration of any of the functions, powers, duties, and projects transferred by this section (including appropriations, authorizations, allocations, or other funds available for general departmental or staff services used in the administration of any such activity) as shall be determined, upon the basis of the pertinent legislative, budgetary, and administrative apportionments, to be properly subject to utilization in the administration of such functions, powers, duties, or projects shall be transferred to the Department of the Interior for use in connection with the administration of the functions, powers, duties, and projects transferred by this section. The moneys so transferred may include amounts to provide for the liquidation of obligations incurred against such appropriations, authorizations, allocations, or other funds prior to the transfer. No moneys transferred under this provision shall be expended for purposes other than those for which such moneys were appropriated or otherwise originally made available, except to the extent to which their expenditure for other purposes may be authorized by law: *Provided further*, That nothing contained in this section shall impair the validity of any outstanding obligations or contracts of the United States of America or of any department, establishment, or agency thereof: *Provided further*, That all rules, regulations, orders, permits, licenses, privileges, or other like matters made, issued, or granted in pursuance of, or with respect to, any function, power, duty, or project transferred by this section which are in effect at the time of such transfer shall continue in effect to the same extent as if such transfer had not occurred until modified, superseded, or repealed: *Provided further*, That the Director of the Bureau of the Budget shall take such action as may be necessary or appropriate for the effectuation of the transfers provided for herein, and shall prescribe the date or dates on which such transfers shall become effective. His determinations with respect to the proper allocation of the records, property, personnel, and funds referred to in said sections shall, when approved by the President, be final for the purposes of this act."

Mr. MURRAY. Mr. President, last evening I was about to explain the amendment. It will have the effect of transferring the civilian construction functions and activities of the Corps of

Engineers in the West to the Bureau of Reclamation. I will undertake to explain as briefly as possible why such an amendment is needed.

This action is needed first of all for the protection of all interests in the western part of our country against the inroads of a Federal agency which by law is not required to obey State statutes. Acting under the authority of the commerce clause of the Constitution, the Corps of Engineers can and does invade the West, interferes with vested rights in water, and otherwise plays havoc with State rights. On the other hand, the Bureau of Reclamation is required by Federal law to observe the State laws governing water rights.

The economy of the arid and semiarid areas of the West is dependent upon the establishment and recognition of the fundamental concept that waters arising in the West shall remain available for beneficial consumptive uses in the West. The whole future of the West depends on recognition of this policy. In recognition of this policy, and to facilitate administration and development of the water resources of the West, the Western States have developed through the years, by constitutional and statutory provisions and through the decisions of their courts, certain rules governing rights in water. If the Corps of Engineers of the United States Army is authorized by the pending flood-control bill to undertake the projects it has in mind in the West, then the West will, in effect, have surrendered to a large extent the dominion which it now exercises over its own water resources.

The authority of the Corps of Engineers to proceed with these projects will depend, of course, upon the enactment of H. R. 4485. The authority of the Congress to enact H. R. 4485 derives from the commerce clause of the Constitution of the United States. Under the commerce clause of the United States Constitution, the Federal Government may proceed with navigation and flood-control developments without regard to the impairment or even the complete obliteration of rights for irrigation or other beneficial uses established under State law and even without compensating for the rights so impaired or so taken. That statement is made on the authority of a series of decisions of the Supreme Court of the United States in the following cases: *Sanitary District of Chicago v. United States* (266 U. S. 405 (1925)); *United States v. Chandler-Dunbar Co.* (299 U. S. 53 (1913)); *Scranton v. Wheeler* (179 U. S. 141 (1900)); *United States v. Rio Grande Irrigation Co.* (174 U. S. 690 (1899)); *Gibson v. United States* (166 U. S. 269 (1897)).

There can be no doubt whatsoever, on the basis of the cases decided by the highest court in the land, that the Corps of Engineers can, if it wishes to do so, proceed with the construction, operation, and maintenance of the works which it seeks authority to construct, entirely without regard to existing water rights, whether they be riparian or appropriative rights established under the Constitution and laws of a State. It is said that the Corps of Engineers has

given assurances to some of the people that it will not violate existing water rights. But how much are these assurances worth? What basis have we for believing that the promise to observe existing water rights, if such a promise has been made, will be kept even by the present Chief of Engineers whose consistent opposition to having such a promise written into law is a clear indication of his views? Such a promise would not be binding even on him and much less on his successors in office. This promise, if one has been made, is worth little or nothing in the face of the absolute power which the Corps of Engineers will have, if it undertakes these projects, to seize, without compensation, any water rights which it may need for the purposes of its projects.

It is said that one reason for authorizing the Corps of Engineers to undertake these works is that the portion of the costs of those projects, which will have to be repaid by local beneficiaries, will be less than the portion that will have to be repaid if some other agency constructs the works. But, even if construction by the Corps of Engineers would cost the local irrigators less, such saving would be mighty poor compensation for a surrender of established water rights. The whole proposition sounds like surrendering a birthright for a mess of pottage.

The West can have the benefits of Federal construction of conservation reservoirs—reservoirs that will serve also the purposes of flood control and navigation improvement—without surrender of water rights established under the Constitution and laws of the States, if and only if one agency is authorized to proceed with the construction of the necessary works. Under existing conditions, that agency should be such an agency as the Missouri Valley Authority, as recommended by the President in his recent letter to Congress.

Aside from the many other reasons for the proposition that the West should resist with all its might the proposed invasion of its territory by the Army engineers, one is particularly impressed with the protection to State water rights which would come from having every part of the Federal conservation program in the West constructed by the Bureau of Reclamation. That protection arises out of a provision contained in the fundamental statute under which Federal reclamation projects have been constructed for the last 40 years. I refer to section 8 of the act of June 17, 1902, commonly known as the Reclamation Act. That section reads as follows:

That nothing in this act shall be construed as effective or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any landowner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof: *Provided*, That the right to the use of water acquired under the provisions of this act shall be appur-

tenant to the land irrigated and beneficial use shall be the basis, the measure, and the limit of the right.

The foregoing section of the Federal reclamation law does not pay merely lip service. It works. Pursuant to that section, the Bureau of Reclamation makes a filing, with the agency of the State having jurisdiction, looking to an appropriation of water. If, in a particular case, the waters of a stream are already fully appropriated and the flood flows are already fully appropriated, then the Bureau of Reclamation purchases water rights from prior appropriators. This practice it has followed in connection with the Central Valley project. For example, under a contract entered into as of July 27, 1939, between the United States and the firm of Miller & Lux, Inc., and the Gravelly Ford Canal Co., and others, the United States acquired the appropriate and riparian rights of these companies to divert and use the waters of the San Joaquin River and the Fresno slough for the irrigation of land, the watering of livestock and for other purposes. The consideration agreed to be paid for the water rights thus acquired is specified in the contract at \$2,450,000.

Under a contract dated July 27, 1939, the United States acquired from the San Joaquin & Kings River Canal & Irrigation Co., Inc., the Columbia Canal Co., the San Luis Canal Co., and the Firebaugh Canal Co. the right to store certain San Joaquin River flows in consideration of its agreement to construct and operate a pumping system to bring substitute supplies of water into certain cropland areas. Under this arrangement, the cropland areas obtain a substitute and a more dependable supply of water for their cropland areas.

Under a contract entered into on October 2, 1939, the United States acquired from the Chowchilla Farms, Inc., the perpetual right to divert, store, and use all the waters of the San Joaquin River and its tributaries to the use of which Chowchilla Farms, Inc., was entitled for a consideration of \$842,000.

Under a contract dated January 29, 1940, the United States acquired certain lands and certain water rights from the Madera Irrigation District for a consideration including the payment of \$299,900.

In the same circumstances, had the Army engineers been constructing the Central Valley project, they would not have been obliged to make these purchases, but could have utilized the waters in question without the expenditure of one penny for reimbursing the owners thereof.

Aside from protection of western water rights, there are good, sound national reasons for transferring the civilian construction functions of the Corps of Engineers to the Bureau of Reclamation.

First of all, such a transfer would protect the country against the growth of a military oligarchy, impertinent and unmindful of civilian rights. I think, in this connection, of the statement by General Robbins, at one of the sessions of the subcommittee of the Senator from Louisiana [Mr. OVERTON], to the effect

that the amendment proposed by Senator O'MAHONEY—to protect the beneficial consumptive use of water against the demands of navigation—was "crazy."

Apparently the Army engineers have decided that they will accept the "crazy" amendment rather than take a chance on losing their opportunity to construct these "pork barrel" projects.

I may say at this point, Mr. President, that during the course of the debate it was suggested on the floor of the Senate that I had failed to appear before any of the committees considering this legislation and make objections to this bill at the time it was under consideration. I wish to say that that is not true. As early as February 1944 I appeared before the House Committee on Flood Control, when the bill was under hearings before that committee, and testified at some length on that occasion. I then presented the amendment which was suggested by the President of the United States to protect the water rights of the upper States in the Missouri Valley. That testimony will be found on page 934 of the House hearings, volume II, February 1 to February 23, 1944. The amendment which I suggested at that time is found on page 934, and reads as follows:

Page 21, line 13, after the word "Congress", substitute a colon for the semicolon and insert the words, "*Provided*, That the use of waters of the Missouri River for municipal, domestic, and livestock water supply, for irrigation of arid and semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby."

In connection with the proposal of the amendment, I stated as follows:

I believe all the advocates of the navigation project contend that the 9-foot channel will not interfere with future irrigation upstream. I am sure, then, that they can have no legitimate objection to such a statement in the bill as that worded by the President.

At the same hearing before the House committee I also suggested the other amendment, with reference to electric power. That will be found on page 935, and reads as follows:

Page 29, line 12, add the following new paragraphs at the end of section 1:

"Electric power and energy generated at projects authorized by this act and not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers, and preference in the sale of such power and energy shall be given to public bodies and cooperatives. At dams or works authorized by this act which are suitable for the production of electric power and energy, the Secretary of War shall provide, construct, operate, maintain, and improve such structures, machinery, equipment, facilities, and supplies as the Secretary of the Interior may deem necessary to develop power and energy for existing and potential markets and for the proper reception, handling, and dispatch of electric power and energy; and operations of all such machinery and facilities shall be scheduled in accordance with the requirements of the Secretary of the Interior so far as consistent with requirements for the use of water for the other purposes of said projects. The Secretary of the Interior is authorized to construct and acquire such transmission lines and facilities and to enter

into such contracts, agreements, and arrangements as he deems necessary to carry out the duties and responsibilities herein conferred upon him.

"In connection with dams or works authorized by this act which the Secretary of the Interior determines, with the concurrence of the Secretary of War, may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws; and, within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dam and works authorized by this act may be utilized for irrigation purposes only in conformity with the provisions of said Federal reclamation laws and this paragraph."

Mr. President, both those amendments were presented before the committee while this legislation was pending in the House, but they were rejected by the engineers at that time. Apparently the Army engineers have now decided that they will accept these amendments, rather than take a chance on losing their opportunity to construct these projects.

Then, again, such a transfer will give the West assurance that the fundamental interests of the West in irrigation and incidental power will be given adequate treatment. It will protect the West against the construction of works whose primary function seems to be to carry fresh water to the sea—this in a land where every drop of fresh water should be stored for beneficial consumptive use.

Finally, a transfer, such as my amendment provides for, is needed for efficient administration in Washington. Even with the best will in the world conflicts are inevitable if you have two agencies operating in the same field. Congress should take cognizance of the fact that it has itself to blame for much of the conflict and confusion which have arisen in connection with navigation, flood control, and irrigation. Although these three items involve—when performed in the West—the maximum conservation of water for beneficial consumptive use, we have too many committees dealing with them. In the House we have the Committee on Flood Control, the Committee on Rivers and Harbors, the Committee on Agriculture, the Committee on Irrigation and Reclamation. In the Senate, we have the Committee on Irrigation and Reclamation, the Committee on Commerce, and the Committee on Agriculture and Forestry. In the name of simplification and economy we ought at least to reduce the number of committees which may consider these matters. By virtue particularly of the practice existing on the House side, there is an unusual relationship between a portion of the executive branch and the Congress. For instance, if notwithstanding the views of the President and of the Bureau of the Budget, the Chief of Engineers desires to submit a report on a particular

project, he resorts to the simple practice of requesting, informally of course, a resolution from an appropriate committee requesting his report on that project. The relations between the Chief of Engineers and certain committees of the Congress have grown so close that the Chief of Engineers regards himself as unable to make joint investigations with other agencies. Thus, the saving of time and money which would result from joint investigations is lost to the country because the Corps of Engineers must make an exclusive report.

Finally, our confusion of committees is so great that we find the Bureau of Reclamation submitting substantially the same testimony with regard to its plans for the Missouri River Basin on no less than three occasions—once, before the subcommittee of the Senate Committee on Commerce studying the river and harbor bill; again, before the subcommittee of the Senate Committee on Commerce studying the flood control bill; and, again, before the Senate Committee on Irrigation and Reclamation. Such a procedure is an extravagant expenditure of time and money both in the legislative and executive branches.

Mr. President, I am sure very few Senators are familiar with the broad outlines of the projects which would be authorized for construction by the Army engineers under and by virtue of the language of the provisions on page 31 of the bill. I call attention to the reference, in line 17, page 31, to House Document No. 649, Seventy-eighth Congress, second session. I wonder how many Senators have read House Document No. 649. I wonder if the Senate realizes how many dams would be authorized for construction by this one item alone. Note that the estimated cost of the projects described in House Document No. 649 is \$50,100,000. I assume that a project which is estimated to cost over \$50,000,000, and which in all probability will cost considerably more, is not the sort of project which the Senate would wish to approve unless it knew the facts and was, therefore, in a position to determine whether the authorization and construction of the project represented sound national policy and a wise expenditure of public funds. I shall therefore ask the Senate to indulge me while I discuss as briefly as possible the salient features of the projects represented by this item and the important questions of national policy involved.

In the first place, I believe I should call attention to the fact that the basic document upon which authorization of this project would be predicated does not represent the last word of the Chief of Engineers. The Chief of Engineers himself refers to his report on the Sacramento River and tributaries as an "interim" report. Webster's New International Dictionary, second edition, defines the term "interim" as "belonging to an interim, done, made, occurring, etc., for an interim or meantime; temporary." We are thus faced with the proposition that the report on the basis of which the Congress is asked to authorize the appropriation of more than \$50,000,000 is described by its author as an "interim" or temporary document. There can be only

one reason for so describing it. That reason must lie in the fact that he lacks confidence in the conclusions drawn from the studies and surveys so far made, and that, therefore, he wishes to reserve the right to change those conclusions in whatever ways that facts developed from more thorough studies and surveys may indicate to be desirable. I can scarcely believe that the Congress will wish to authorize appropriations in excess of \$50,000,000 on the basis of any recommendation which is labeled as one that is likely to be changed. I believe, on the contrary, that in these days of rapidly mounting national debt, the Congress will wish to exercise greater care. I believe that on this item the Congress should say to the Chief of Engineers that it is not prepared to authorize the appropriation of vast sums on the basis of hastily prepared and perhaps superficial studies. I hope and believe that, by eliminating this item from the bill, the Congress will say to the Chief of Engineers: "We will not let you draw on the Treasury for funds to build a project until and unless you can assure us that in your judgment the project you have proposed is the final and best plan you can devise for the purpose you have in mind."

Not only is the report of the Chief of Engineers, on the basis of which the Congress is asked to appropriate millions of dollars, a temporary report, but it is also a report which conflicts with the views of the President. I shall have something more to say on this point at a later time. For the time being, let me call the attention of the Senate to a letter addressed to the Secretary of War on May 22, by the Director of the Bureau of the Budget. This is a letter of comment by the Director of the Bureau of the Budget on the "interim" or temporary report referred to in line 17 of the flood-control bill. I read it:

MY DEAR MR. SECRETARY: This will acknowledge your letter of May 15, 1944, transmitting the proposed report of the Chief of Engineers, dated May 10, 1944, on a preliminary examination and survey for flood control of the Sacramento River and tributaries, California, from its mouth to Shasta Dam, and requesting advice as to the relationship of the proposed report to the program of the President.

A review of this proposed report indicates that the adoption of the general plan of development recommended therein for further improvement of the Sacramento River and its tributaries, upon the basis of the construction, operation, and maintenance under the direction of the Secretary of War and supervision of the Chief of Engineers of some elements of that general plan, would be in conflict with the program of the President for the Central Valley of California as set forth in his letter of March 7, 1944, to the chairman, Committee on Flood Control, House of Representatives. There would, of course, be no objection to a modification of the existing Sacramento River flood-control project to provide for changes and extensions in levees and other structures, and for the construction of nine local levee and channel improvements, as recommended in this proposed report of the Chief of Engineers. However, the dam and reservoir projects that are recommended by the Chief of Engineers are component units in a basin-wide plan for the use and control of the water resources in the Central Valley. The

President has stated in his letter of March 7, 1944, that it would appear that, if any such plan is to be successful, the operation of all units should be fully coordinated on a regional basis and that such coordination, insofar as projects undertaken by the Federal Government are concerned, can best be obtained if the Bureau of Reclamation constructs, operates, and maintains all multiple-purpose elements of the Central Valley plan.

Furthermore, it would appear desirable that, in view of the differences of opinion that have been expressed, the authorization of the construction of any dam at the Table Mountain site be deferred pending the completion of investigations, now being made by the Bureau of Reclamation, to determine the possibilities of providing alternate equivalent storage by means of reservoirs on tributaries of the Sacramento River between Shasta Dam and the proposed site for the Table Mountain Dam and Reservoir, and the completion of the final report by the Chief of Engineers of the preliminary examination and survey of the entire Sacramento and San Joaquin River Valleys.

In addition to what has been said above, I must also advise you that, in the absence of evidence showing that the proposed improvements are necessary to the prosecution of the war, the submission during the present emergency of any estimate of appropriation for construction of the improvements would not be in accord with the program of the President.

In view of their direct concern with the proposed report, I am furnishing copies of this letter to the Secretaries of Agriculture and Interior and to the Chairman, Federal Power Commission.

Mr. President, what does this letter indicate? It indicates, first of all, that the President of the United States has a plan for the Central Valley area of California. Secondly, it shows that the interim or temporary report made by the Chief of Engineers is in conflict with that plan. In the absence of a strong showing that the plan of the Chief of Engineers—hastily put together and containing conclusions which the Chief of Engineers himself is not prepared to describe as final—should be substituted for the long-range plans of the President of the United States, I submit that the Senate should not be asked so to substitute it. I submit further, and I am prepared to prove, that the Committee on Commerce, so far as its report is concerned, gives little or no evidence of having considered the recommendations made by the President of the United States and by the Bureau of the Budget in connection with this item. In this connection I ask Senators to turn to page 22 of the majority report submitted by the Senator from Louisiana [Mr. OVERTON], of the Committee on Commerce, to accompany House bill 4485. Twelve lines are devoted to a discussion of the item in question. Nowhere in that discussion does the Committee on Commerce even so much as take note of the fact that the interim or temporary plan of the Chief of Engineers is contrary to the wishes of the Chief Executive. No mention is made of the letter which I have just read from the Director of the Bureau of the Budget. One very important item is brought out in those 12 lines, namely, that when the House approved this item it did not even have the benefit of the Chief of Engineer's interim report. Indeed, this interim or temporary report of the Chief

of Engineers was not transmitted to the Congress until 1 day after the subcommittee had begun its hearings on the flood-control bill.

Not only does the report submitted by the Senator from Louisiana fail to apprise the Senate of the fact that the interim or temporary plan of the Chief of Engineers for this project is in conflict with the plans of the President for the Central Valley area of California, but it fails also to apprise the Senate of the fact that much testimony by skilled and experienced engineers and others in opposition to the authorization of this project for construction by the Army engineers was submitted to the very subcommittee over which the Senator from Louisiana presided. I do not say that the failure thus fully to advise the Senate was by design; but I do say that busy Senators are entitled to have their attention called to controversial items so that they may, if they are so minded, refer to the transcript of the testimony and make up their own minds as to the way in which the controversy should be resolved. More than 800 pages of comparatively small print were required to cover the testimony presented before the Senate subcommittee in connection with the flood-control bill. Many of those pages were devoted to testimony presented for and against the interim or temporary report presented by the Chief of Engineers in connection with this project. Yet only 12 lines of the report submitted by the Senator from Louisiana deal with the whole vast problem involving the expenditure of more than \$50,000,000. If a Senator were to rely solely upon the report submitted by the Senator from Louisiana he would be led to believe that this item had been marked by no controversy whatsoever. As a matter of fact, testimony taken before the subcommittee revealed that qualified engineers and also members of the general public were opposed to the plans of the Chief of Engineers as contained in his interim or temporary report on this project.

For example, a member of the California State Senate, Hon. Oliver J. Carter, testified at length in opposition to the project. He was particularly opposed to the authorization of the Table Mountain Dam. I ask Senators to note particularly the attempts made by this witness to bring out the facts respecting the dam at the Table Mountain site. Senator Carter came from a long distance in an attempt to protect the interests of his constituents in Shasta and Trinity Counties, Calif.

Senator Carter gave testimony which will impress any fair-minded man. He showed, first, that it was difficult for the general public to know just exactly what kind and size of dam was proposed to be built at the Table Mountain site. His testimony is impressive also on the proposition that no dam whatsoever should be authorized for construction at the Table Mountain site. He showed that even a low dam would result in flooding a large area of valuable agricultural land. He showed that the area which would be flooded as a result of the construction of the low dam has an annual agricultural

production valued at more than \$1,600,000. He urged a study of alternative storage possibilities. Notwithstanding the fact that this statesman from California traveled a great distance for the purpose of coming to Washington to present the views of the people most affected, and notwithstanding the fact that he presented those views in impressive fashion, the Senate Committee on Commerce made no reference to differences of opinion with respect to the construction of the Table Mountain Dam.

I have said that qualified engineers testified before the subcommittee in opposition to this project. Let me elaborate. Testimony in opposition to this project was presented by qualified engineers with national reputations. For example, the Commissioner of Reclamation himself, an engineer who has spent a lifetime in the study, preparation, and working out of plans for the conservation and the beneficial consumptive use of water in 17 Western States, gave extensive testimony in opposition to the authorization of this project. I realize that there may be those who will say that Commissioner Bashore had "an ax to grind." There will be those who, not knowing him as well as do some Senators, will feel that his testimony may have been colored by a belief that this project should be built by the Bureau of Reclamation rather than by the Corps of Army Engineers. To those Senators I am glad to be able to say that Commissioner Bashore is a man whose integrity rises above petty jurisdictional quarrels. He testified as an engineer. If as an engineer he had believed that the project described in the interim report should be built as proposed in that report, he would have said so, no matter what the consequences might have been. His whole career assures us of that. The Congress and the Nation can rely upon it.

Among other engineers who testified against the authorization of this project for construction by the Army engineers were the following: Mr. R. S. Calland, who spent 7 years on the Central Valley project in California and who, before that, was assigned throughout the construction period to the Boulder Dam project; Mr. S. A. Kerr, an engineer who has had 37 years of experience in connection with water-supply projects in the Western States; and Mr. R. P. Bryan, a man with 23 years of practical engineering experience. No reference to this impressive testimony is to be found in the report submitted by the Senator from Louisiana.

I wish to be entirely fair. I think that justice requires me to say that much testimony was offered on all sides of the controversy which raged before the subcommittee over which the Senator from Louisiana [Mr. OVERTON] presides in connection with these California projects. I think justice requires me to say that much impressive testimony was presented by the proponents of the Army plan. On the other hand, where there has existed a serious controversy before a committee of the Senate in connection with a particular bill, I think it is unfair to the Members of the Senate if they are not fully apprised of the fact that the

controversy has existed, and if they are not fully apprised of the principal arguments against as well as for the measure which is reported out. To put it another way, I do not think that the Congress should be asked to authorize an appropriation in excess of \$50,000,000 until and unless the appropriate committee of the Congress has fully analyzed and answered the arguments against the authorization of such an appropriation. Mere silence on the part of the committee having charge of the bill is not enough.

I want to know, and I am sure other Senators want to know, why the Senate Committee on Commerce decided that the preponderance of the evidence presented to it was in favor of constructing the project proposed by the Army engineers in an interim report. Since the Senate Committee on Commerce has not favored the Senate with an analysis of the evidence presented to it and with its reasons for preferring the plan presented by the Army engineers to the plans favored by the President, by the Bureau of the Budget, and by other agencies, I shall ask the Senate to bear with me while I discuss the proposals and counterproposals made for the Central Valley area in some detail, so that the Senators may have a complete understanding of it.

The project proposed, according to the interim or preliminary report of the Army engineers—a project for which the Congress is asked to appropriate more than \$50,000,000—includes the construction of seven reservoirs in the Central Valley area of California. These reservoirs would be formed respectively by dams at the following sites: Table Mountain, Bidwell Bar, Narrows, Folsom, Monticello, Wilson Valley, and Black Butte.

I have already referred to the Table Mountain Dam. It may be useful, however, to point out that, as proposed in the interim or preliminary report by the Army engineers, the Table Mountain Dam is proposed as a high dam. Its justification in the report by the Army engineers is founded in large part on its being constructed as a high dam. If the item proposed by the Senate Committee on Commerce is adopted, then it can never be built as a high dam. Hence, much of the justification for building it at all disappears.

I want to call the Senate's attention to one statement in chapter III of the report made by the district engineer to the Chief of Engineers in regard to the Table Mountain Dam. The statement is as follows:

Inundation of present irrigated lands in the Table Mountain Reservoir area would result in a loss in tax income to the counties affected, estimated at \$30,000 per annum for the low dam and approximately \$90,000 per annum for the high dam, and would detrimentally affect existing business and commercial activity in the community of Redding, which is now dependent for a large part of its income upon the activities of this agricultural area. Such detrimental effect on local business, or the loss in taxes from inundation of lands in the other proposed reservoirs, has not been evaluated herein as it is considered that it would be more than balanced by similar unevaluated local benefits in other parts of the valley.

That statement bears out the testimony presented by Senator Carter as to the serious damage that would be done to the area he so ably represents in the California Senate if the Table Mountain Dam is constructed. I might say that Senator Carter is a State senator of California, who appeared and testified in this matter.

The last sentence of that statement is one of the most remarkable sentences I have ever read in any public document. To my mind, it is equivalent to saying, "We do not know what damage will be done to the local people by the construction of the other proposed reservoirs, but regardless of the extent of the damage to those people, we feel sure that it will be more than compensated for by the benefits which people in other localities will derive from the reservoirs. We have not figured out what those benefits may be." In fact, this statement reminds me very much of a foreword which it is said appeared on the cover page of a prospectus of one of the Dublin expositions many years ago. That foreword is said to have read as follows: "All statements made in this prospectus are based on facts and figures, but the visitors are cautioned against being influenced thereby." How can the Congress be expected to authorize the appropriation of more than \$50,000,000 for a project on the basis of a report which deals so cavalierly with the question of damage that may be done to local property owners, and which suggests that that damage will be compensated for by benefits which, it admits frankly, have not been computed?

Much impressive testimony was presented to Senator OVERTON's subcommittee on the proposition that this project, among other projects proposed for construction by the Army engineers in California, was in all major respects a logical extension of the Central Valley project now authorized for construction by the Bureau of Reclamation. I think that at this point it may be worth while to consider some aspects of the Central Valley project and its purposes, so that the Senators may have a full appreciation of the significance of the testimony to which I have referred.

The Central Valley project comprehends, among its purposes, the control, regulation, conservation, conveyance, and use of portions of the waters of the Sacramento and San Joaquin Valleys for the maximum benefit of the entire area. Some engineering features of the Central Valley project are already authorized by law for present development. Others will presumably be authorized by law for development in the future to the extent deemed desirable by the Congress. The initial and the presently authorized features of the Central Valley project include the following: Shasta Dam, Reservoir, and power plant on the Sacramento River 12 miles north of Redding; Keswick Dam and power plant on the Sacramento River about 9 miles downstream from Shasta Dam; transmission lines from Shasta and Keswick power plants to Oroville and to Antioch, or alternate location; Cross channel from Sacramento River to San Joaquin River through the edge of their common delta

near Stockton; Contra Costa Canal and pumping system, about 48 miles long, from Rock Slough to Martinez; Delta-Mendota Canal and pumping system, length 100 miles, from the San Joaquin Delta to Mendota; Friant Dam and Reservoir on the San Joaquin River about 20 miles northeasterly from Fresno; Madera Canal from Friant Reservoir northerly for about 36 miles to Ash-Berenda Slough; and Friant-Kern Canal extending southerly from Friant Reservoir about 160 miles to a point just south of Kern River.

The Central Valley project will provide new and supplemental water for irrigation through the equalization of the waters of the Central Valley between the Sacramento and the San Joaquin areas. It will provide flood control and power. It will constitute an improvement in aid of navigation, and it will be an important element in the battle now being waged against the intrusion of salt water on the delta lands of the upper San Francisco Bay region. It will constitute an important source of fresh water for municipal and industrial purposes.

While I have no wish to take the time of the Senate unnecessarily, still I believe that in order that Senators may have a complete understanding of the primary features of the presently authorized Central Valley project, I must describe each of those features at least briefly.

Shasta Dam, now nearing completion, is the second largest masonry dam in the world, and will contain an approximate total of 6,400,000 cubic yards of concrete. The dam is of the massive concrete gravity type, consisting of a central straight spillway section and slightly curved abutment sections. An earth and rock fill embankment is constructed at the left end of the main concrete portion of the dam. The concrete dam and embankment are about 3,500 feet in overall length on the crest and about 602 feet high. It will be the highest dam of the overflow type in the world. The reservoir created by the dam has a total capacity of 4,500,000 acre-feet. The power plant under construction immediately below the dam will have five main units of 75,000 kilowatts each, and two station service units each 2,500 kilowatts. Both station service units are now installed, and two main units are nearly completed and probably will be in operation early in June 1944. Two other units constructed for Shasta power plant were temporarily transferred to Grand Coulee power plant, since their use there would result in additional power being more quickly secured for war industries. Restrictions have been placed on the construction of the remaining units by the War Production Board.

Keswick Dam will form the afterbay reservoir for smoothing out Shasta releases. The dam is nearly completed. It will be about 1,030 feet long, 140 feet high, and contain 200,000 cubic yards of concrete. A power plant under construction will ultimately contain three units with a total capacity of 75,000 kilowatts. Restrictions have been placed on the

manufacture of these units by the War Production Board.

The 100-mile-long transmission line from Shasta power plant to Oroville is nearing completion. Ultimately there will be a line down the west side of the Sacramento Valley to a substation near Antioch—or alternate location. A steam electric plant will also be required ultimately with a probable installed capacity of 162,000 kilowatts.

The Delta Cross Channel as now planned will extend from the Sacramento River across the easterly edge of the delta to a location near Stockton. Its total length will be about 50 miles, with a diversion capacity tentatively set at about 10,000 second-feet.

The Contra Costa Canal extends from its Rock Slough diversion along the south side of Suisun Bay to Martinez. Of the total length of 48 miles there is now about 40 miles completed. Four separate pumping lifts raise the water to an elevation of 124 feet. Construction of the remainder of the canal has been restricted by the War Production Board. The canal has a diversion capacity of 350 second-feet and is in partial operation, delivering municipal, industrial, and agricultural water.

The Delta-Mendota Canal will divert from the delta (Tom Paine slough) with a capacity of 4,600 second-feet. It will comprise a series of pumping plants and a high line canal about 100 miles long leading up the west side of the San Joaquin Valley to Mendota. Croplands along the lower San Joaquin River now using water that under future project operation is to be stored and diverted at Friant Dam, thereby will be given in exchange a substitute supply from the more abundant Sacramento River.

Friant Dam, now completed except for installation of drum gates and river and canal outlet gates, is the fourth largest masonry dam in the world and contains approximately 2,130,000 cubic yards of concrete. The dam is of the gravity type about 3,440 feet long on the crest and 320 feet high. The reservoir, officially named Millerton Lake, has a total capacity of 520,500 acre-feet. Some of the river and canal outlet gates are now being installed to permit partial operation of the reservoir for irrigation and flood control. Work on the remaining gates has been restricted by the War Production Board.

Madera Canal will divert water northerly from Millerton Lake to furnish a supplemental irrigation supply to the Madera Irrigation District. The initial capacity of the canal is 1,000 second-feet with structures designed for 1,500 second-feet, thereby allowing for future expansion if desired. At present about 8½ miles of the total length of 36 miles is completed with the remainder under construction. Completion of the canal to its terminus in Ash-Berenda slough east of Chowchilla is expected early in 1945.

Friant-Kern Canal will divert water southerly from Millerton Lake for irrigable areas with deficient water supplies. When completed it will extend about 160 miles to a point south of Kern River, near Bakersfield. The tentative

initial capacity of the canal is 3,500 second-feet. Construction of the canal is at present restricted by the War Production Board.

Before being asked to authorize the appropriation of vast sums for the construction of projects, the Senate is entitled to know something of the geography and of the other characteristics of the area in which these projects are to be located. I regret to say that the interim or preliminary report by the Army engineers in House Document No. 649, Seventy-eighth Congress, second session, does not afford sufficient information on these matters. I must, therefore, supply the deficiency.

Upper Sacramento Valley as herein considered includes the drainage basins of Sacramento River and its tributaries upstream from the town of Red Bluff. The drainage basin above Red Bluff has an area of 9,258 square miles. The western half of the basin drains a portion of the Klamath and Cascade Mountains. The Cascades rise to their highest point at Mount Shasta, a peak with a crest elevation of 14,162 feet. To the east and south of Mount Shasta is a large plateau area which extends easterly to the Warner Mountains near the border of California.

The drainage basin of the upper Sacramento River is largely mountainous, except in the eastern plateau region where there is a considerable area of developed agricultural land. Some scattered areas of partially developed agricultural land are located between Redding and Red Bluff.

The average annual run-off of Sacramento River at Red Bluff for the 20-year period 1921-41 was 6,700,000 acre-feet. This run-off amounts to nearly 40 percent of the total inflow to the Sacramento Valley. Future developments in the area above Red Bluff will consume only a small portion of this run-off, leaving large quantities of water available for regulation and for use in the lower Sacramento Valley, and for export to areas of deficient supply in San Joaquin Valley. Shasta Dam, which is now practically complete, will effect substantial regulation of the run-off of the upper Sacramento Basin. Table Mountain Reservoir, near Red Bluff, is proposed to complete the regulation. An additional 800,000 to 1,000,000 acre-feet of water may also be obtained annually by diversion of the upper Trinity River to Sacramento River near Redding.

Upper Sacramento Basin has a large existing and potential power development. Pacific Gas & Electric Co. already has built four plants on Pit River and its tributaries, and a fifth is nearing completion. Operation of the initial units of Shasta power plant of the Bureau of Reclamation has begun. Pacific Gas & Electric Co. also operates six additional plants on tributaries of Sacramento River between Redding and Red Bluff. The total power-plant capacity which is now installed or is definitely planned for the near future on Pit River, at Shasta and Keswick, and on Sacramento River tributaries, is 766,000 kilowatts. The possible average annual output of these plants, including supplemental

steam plants to firm the Shasta and Keswick output, is 4,200,000,000 kilowatt-hours per year.

Above Shasta Dam the Sacramento River and its principal tributaries, the Pit and McCloud Rivers, have a drainage area of 6,665 square miles. The average run-off from this area for the 20-year period 1921-41 was 4,730,000 acre-feet.

A large portion of the drainage area above Shasta Dam is mountainous, but in the eastern section of Pit River Basin there is a plateau area ranging from 3,000 to 6,000 feet in elevation which contains a considerable area of irrigable land. It is estimated that 100,000 acres are now irrigated in this area, but only about one-third of the area receives a full irrigation supply; the remaining area is irrigated only in the spring and early summer months when streamflow is available. Complete data regarding the use of water are not available, but such use probably does not exceed 200,000 acre-feet.

Estimates of the extent of agricultural land above Shasta Dam vary from 180,000 to 350,000 acres. It appears unlikely that all of the available land will ever be supplied with water. Irrigation already has been extended to those lands which can be reached easily from streams and reservoir sites. Most of the favorable storage sites are now developed, including more than 150 reservoirs, with an aggregate capacity of over 150,000 acre-feet. Proposals for additional developments in Big Valley and other areas have been made by several State and Federal agencies. These projects would be principally to provide supplemental water for lands now irrigated.

Pit River below its confluence with Fall River has a relatively uniform flow in comparison with most California streams, the average minimum monthly flow being only about one-half the average maximum monthly discharge. This condition coupled with a reasonably steep river gradient and a sinuous stream course makes the lower Pit River particularly favorable for power development. As previously stated, four projects on Pit River and its tributaries have been completed by Pacific Gas & Electric Co. These include two small plants on Hat Creek, a project diverting from Fall River to Pit River, and one plant on the main stream. A fifth development, also on the main stream, is expected to be completed in the spring of 1944. The total installed capacity of these five plants will be 277,000 kilowatts and the possible average annual output 1,500,000,000 kilowatt-hours.

According to Bonner in Water Powers of California, four projects in addition to the five developments previously described would utilize most of the remaining head on Pit River from Fall River down to the maximum water surface of Shasta Reservoir. The four undeveloped projects have a potential installed capacity of 200,000 kilowatts and could produce 1,000,000,000 kilowatt-hours annually. An additional small project on Hat Creek could produce 42,000,000 kilowatt-hours annually.

A project proposed by Bonner on the McCloud River would include four run-

of-river plants with an aggregate head of 2,025 feet, which could produce 1,170,000,000 kilowatt-hours of power annually. A project on the upper Sacramento River above Shasta Reservoir would include a 25,000 acre-foot reservoir and a power drop of 800 feet at which 90,000,000 kilowatt-hour could be produced.

Consideration has been given to the possibility of diverting water from Klamath River Basin into Sacramento Valley. One of the more favorable plans for such a project would include a diversion from Klamath River to Tule Lake, thence to Pit River. Water diverted from Klamath River would augment the irrigation supply for the Central Valley and would increase the output of the power plants on Pit River, at Shasta and Keswick Dams and at other future downstream projects. The Klamath water might also be used for irrigation in the Big Valley area of Pit River, but this possibility has not been investigated in detail. Further detail regarding the Klamath diversion project are presented in the discussion of Klamath River.

Coming back to the Central Valley project as authorized by law for construction by the Bureau of Reclamation, we find that Shasta Dam, a key unit in the portion of the Central Valley project now under construction, is nearing completion on Sacramento River 12 miles north of Redding. The reservoir formed by Shasta Dam will have a capacity of 4,500,000 acre-feet, which will regulate the run-off from the upper Sacramento River to accomplish the following primary functions:

(a) Supplying over 1,500,000 acre-feet of supplemental and new water annually for lands in Sacramento and San Joaquin Valleys. This is in addition to water used at present.

(b) Maintaining a continuous flow of 3,300 cubic feet per second into San Francisco Bay for protection of lands in the Sacramento-San Joaquin Delta from salt-water intrusion.

(c) Controlling floods on upper Sacramento River.

(d) Maintaining a minimum river discharge of 5,000 cubic feet per second below Red Bluff for navigation purposes.

(e) Producing hydroelectric power, in conjunction with Keswick power plant and supplemental steam plants, to the extent of 430,000,000 kilowatt-hours annually for project pumping and 1,920,000,000 kilowatt-hours of firm power for commercial sale. The ultimate installed power-plant capacity at Shasta Dam will be 380,000 kilowatts, including 5,000 kilowatts for station service units.

In addition to the above, releases will be made for maintenance of fish life. Other benefits will include recreation, pollution abatement, and decreased pumping costs for irrigators diverting from Sacramento River.

Keswick Dam, located on Sacramento River, 3 miles northwest of Redding, is now under construction by the Bureau of Reclamation. This dam will provide storage to reregulate the fluctuating power releases through Shasta power plant to a uniform flow below Keswick Dam. The project will also include a 75,000-kilowatt power plant and fish

traps necessary for the protection of fish life. Keswick Dam will raise the water surface of Sacramento River to the tail-water elevation of Shasta power plant.

I have pointed out already that testimony which was presented to the subcommittee over which the Senator from Louisiana presided, indicates that the Central Valley project and all projects for the storage of water in the Central Valley area in California should be constructed by the Bureau of Reclamation. Some attempt was made, during the hearings before the subcommittee, to show that the desire of the Bureau of Reclamation to build these projects was based upon bureaucratic ambitions. Any Senator who has read the testimony which was heard by the Senator from Louisiana will appreciate, as I have, that those attempts ended in failure. Commissioner Bashore and other witnesses from the Bureau of Reclamation and the Department of the Interior gave persuasive and impressive testimony to the effect that these projects should be constructed by the Bureau of Reclamation because they are essentially irrigation projects. I suspect that very few Senators have had the time to read the testimony on this point and, because of its importance in connection with the questions now before the Senate and because of the fact that no reference whatsoever is made to it in the report issued by the Senator from Louisiana, I will ask the Senate to bear with me while I read some excerpts from that testimony. Beginning at page 219 of the transcript, we find Commissioner Bashore testifying as follows:

I would like to say for the record at this point that there is no question about our recognition of the ability of the Corps of Engineers. We know that they are preeminent in their field of flood control and navigation improvement. It has been my privilege to visit some of the great works constructed by the Corps of Engineers and personally I am proud of that work.

Does that statement sound like the expression of a petty bureaucrat? On the contrary, standing by itself, it is evidence enough of the proposition that if, in Commissioner Bashore's judgment, the construction of these works in the Central Valley area of California and the purposes that these works are to serve constituted them primarily a flood-control undertaking, he would have said so. There follows in the testimony, presented by Commissioner Bashore and other officials and engineers, persuasive evidence of the proposition that these projects are essentially irrigation projects and that they should, therefore, be constructed by the Bureau of Reclamation. If Senators will read that testimony, I am satisfied that they will conclude, as I have, that it would be a tragic mistake on the part of the Congress to authorize any agency other than the traditional agency entrusted with the construction, operation, and maintenance of irrigation works to build these projects. I refer to the testimony beginning on page 224 and ending at the bottom of page 244.

Can anyone doubt now that these projects are predominantly projects for the storage and beneficial consumptive use of

water? If any doubts remained at the conclusion of the testimony presented by Mr. Kerr and Mr. Bryan, those doubts surely must have been removed from the mind of any fair-minded man by the following statement which was presented by Assistant Regional Director Calland.

I shall not take the time to read the statement by Mr. Calland, but it will be found in the transcript commencing at page 250 and ending at page 258.

Mr. President, entirely aside from the question whether these projects are primarily irrigation projects, I wish to point out to the Senate that since all have irrigation features, they should, in any event, be constructed, operated, and maintained by the Bureau of Reclamation in order to assure that the principal purposes of the Congress in appropriating for their construction will be carried out. I am impressed by the fact that the Federal reclamation laws, with their various provisions for the development of family-size farm and the prevention of speculation in lands, should be made applicable to all reservoir projects in the west. If the policy of the family-size farm, a policy which, by the way, is written into the platform of both major parties, is to be accomplished, then these projects must be built, operated, and maintained by the Bureau of Reclamation under the reclamation laws. If this is not done, then the millions of dollars poured out of the Federal Treasury into these California projects may well have been misspent. If we are not watchful, we can have in California an experience similar to the experience of fascist Italy in connection with the reclamation of lands. Senators will recall that some years ago Mussolini undertook an ambitious program to reclaim lands. It was widely advertised as a program that would "give land and bread to millions of Italians in the future." In practice, however, it resulted in enriching the owners of large estates and in providing little land for the masses of the working people. Surely the Senate will wish to avoid a similar result in California. The way to do that is to authorize the construction of these projects by the Bureau of Reclamation under the Federal reclamation laws, with provision for subdivision of large landed estates and the settlement on lands of returning war veterans and demobilized war workers.

While this problem is of particular concern to California, since these projects will be located there, I wish to emphasize the fact that it is nonetheless a national problem. It is a problem in which the Congress of the United States must be concerned, not merely because millions of dollars of Federal funds will be required for the construction of these projects, but also because if these projects are wisely administered and if they are made to result in the creation of family-size farms, then they will play an important part in helping California to return to a prosperous peacetime economy.

Mr. President, I have offered also amendments to delete from this bill the special authorization for the Folsom reservoir on the American River, the project for the Isabella Reservoir on the

Kern River, the plan for the Terminus and Success Reservoirs, Keweah and Tule Rivers, the project for the Kings River and Tulare Lake Basin and the plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek. All of these projects are logical extensions of the Central Valley project and, therefore, they should be planned, designed, constructed, operated, and maintained as integral parts of the Central Valley project by the Bureau of Reclamation in accordance with the established policies of the Federal Reclamation law. What I have said in connection with my amendment for the deletion for the project described in House Document 649, Seventy-eighth Congress, second session, is, in general, applicable to these projects also. I do not wish to take the time of the Senate to reiterate those reasons as to each one of these projects. But I do wonder why the subcommittee of the Senator from Louisiana [Mr. Overton] thought it advisable to authorize the project for the Folsom Reservoir twice. The Folsom Reservoir is one of the reservoirs proposed in House Document 649 and included in the proposed authorization beginning on line 12 of page 31 and ending on line 4 of page 32 of the bill as reported by the Senate Committee on Commerce. Yet, for some reason, it seems to have been found advisable to single it out and to authorize it specially again by the item beginning on line 5 and ending on line 11, page 32. Perhaps the reason was that the language in House Document 649 was not sufficiently broad to satisfy the Chief of Engineers and that the Senate Committee on Commerce decided that a blank check would be preferable. I suggest this possibility because the language of committee amendment No. 26, which provides special authorization for the Folsom Reservoir, also provides that it may be built "with such modifications thereof as in the discretion of the Secretary of War and the Chief Engineer may be advisable." This language, I suggest, is so broad as to permit the Chief of Engineers to build anything he wishes under the guise of a reservoir on the American River. Does the Senate really intend to write such a blank check? Is there not a point where the Congress will hesitate to delegate authority of this sort? Such delegation as this is the very negation of the democratic process.

I have referred to the fact that the President does not approve of the plans of the Chief of Engineers for these projects in the Central Valley area of California. The evidence of that is in the following letters, which I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks. The letters have been heretofore referred to, I believe, during the course of the debate. One of the letters, dated February 7, 1944, was written by the President to Mr. WHITTINGTON, chairman of the Flood Control Committee of the House. The other letter is dated August 7, 1944, and was written by the President to the chairman of the subcommittee of the

Commerce Committee of the Senate. I ask that the two letters be printed at this point in the RECORD as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, February 7, 1944.

HON. WILLIAM M. WHITTINGTON,
Chairman, Flood Control Committee,
House of Representatives.

MY DEAR MR. WHITTINGTON: Over 2 years ago, on May 5, 1941, I wrote to you about the Kings River project and the Kern River project in California. Your committee was then considering the authorization of both of these projects for development by the Corps of Engineers under the jurisdiction of the Secretary of War.

The schedule of hearings on the flood control bill of 1944 indicates that proposals for authorizing these projects as undertakings of the Corps of Engineers will be considered again on February 9, 1944. I shall appreciate it if you will read this letter into the record at that time.

In my letter of May 5, 1941, I said, in part: "Good administration continues to demand that projects which are dominantly for irrigation should be constructed by the Bureau of Reclamation, Department of the Interior, and not by the Corps of Engineers, War Department. The Kings River project is authorized for construction by the Bureau of Reclamation at this time. The proposed project on the Kern River is dominantly an irrigation project. Neither of these projects, therefore, should be authorized for construction by the Corps of Engineers. To do so would only lead to needless confusion." That letter is applicable today.

These projects should be constructed by the Bureau of Reclamation and that portion of their cost to be charged to irrigation should be financed on the basis of the prevailing Federal policy of 40 annual payments by irrigation beneficiaries. These projects should be maintained and operated by the Bureau of Reclamation, but operation for flood control should be in accordance with regulations prescribed by the Secretary of War.

In my letter of May 5, 1941, I suggested that a sound policy in connection with these water projects would consist of selecting the construction agency by determining the dominant interest. Projects in which navigation or flood control clearly dominate are those in which the interest of the Corps of Engineers is superior and should be so recognized. On the other hand, projects in which irrigation and related conservation dominate are those in which the interest of the Bureau of Reclamation in the Department of the Interior is paramount and should be so recognized. No matter which agency builds a multiple-purpose structure involving in even a minor way the interests of the other, the agency with the responsibility for that particular interest should administer it in accordance with its authorizing legislation and general policies. For example, the Bureau of Reclamation in the Department of the Interior should administer, under the reclamation laws and its general policies, those irrigation benefits and phases of projects built by the Corps of Engineers. These suggestions are, to my mind, even more pertinent today. For today we gird for peace. Confusion over jurisdiction ought not to be allowed to disrupt the great preparations now being made for post-war construction of vital public works.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
Washington, August 7, 1944.

HON. JOHN H. OVERTON,
United States Senate.

MY DEAR JOHN: I am glad to learn from your letter of June 23 that the Senate Commerce Committee adopted a progressive provision for the marketing of power from navigation and flood-control projects in the bills that have been reported to the Senate.

The dam and reservoir projects in the Central Valley of California, which would be authorized by H. R. 4485 for construction by the Army engineers, should, for purposes of sound administration and coordinated operation, be constructed by the Bureau of Reclamation in the Department of the Interior. These projects constitute logical extensions of the existing Central Valley project of the Bureau of Reclamation. California, in common with the other Western States, has a flood-control problem and a need for water. The basic and best solution of her flood-control problem lies in the minimum storage and use of water for irrigation. Every flood-control project and every navigation project in the West should therefore be made, so far as practicable, to play its part in the great scheme of conservation of water for beneficial consumptive use.

It may well be that testimony before your committee in favor of the construction of these projects by the Corps of Engineers was a reflection of the desire of certain large land interests in California to obtain irrigation and other benefits without being subjected to the repayment requirements and to the other public safeguards that are a part of the reclamation law, but I do not believe that this should be allowed to obscure the fundamental objectives of that law. In this connection, I was pleased by the inclusion of the irrigation amendment. But this amendment will not assure that the planning, design, construction, and operation of these reservoirs shall be such as to fulfill the primary need for conservation and beneficial consumptive use of water. I hope, therefore, that the Congress will see fit to place in the Bureau of Reclamation the authority and the responsibility for accomplishment of the great objectives that the Federal Government should achieve in California.

I am convinced of the soundness of the amendment designed to assure that the respective States have opportunity to have their views formally recorded in reports on proposed projects of interest to them. While I appreciate your concern over the provision of that amendment that would allow the States to hold up construction of projects already approved by the Congress, this appears to be the case only with respect to projects in the present bill and is necessary to permit transition to the procedure that would be effective for future projects. This amendment seems to me to be no less constitutional than other limitations written by the Congress from time to time on the extent and manner of the execution of powers vested in the Federal Government by the commerce clause of the Constitution.

With respect to the Missouri River, specifically, I am hopeful that a method can be found for the settlement of differences between the proponents of irrigation and of navigation so that the needed over-all development of the basin can proceed expeditiously.

I appreciate your having given my views consideration and having made them available to your committee. You have undertaken an important job and one that is particularly close to my heart. I am grateful and I am sure the Nation as a whole will be

grateful for the great effort you are putting into this task.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. MURRAY. I also invite attention to a letter which was received by the Vice President from the Secretary of the Interior, dated November 21, 1944. I ask unanimous consent to have that letter printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., November 21, 1944.
THE VICE PRESIDENT OF THE UNITED STATES.

MY DEAR MR. VICE PRESIDENT: In the interest of sound reclamation development in the western United States, I call to your attention recent proposals regarding the rivers and harbors bill and the flood-control bill, which will be urged upon the Senate when it gives active consideration to those measures. These proposals, if adopted, would breach the long-established policies of the Congress under which reclamation development in the West has proceeded since 1902 in a manner that has gained for it bipartisan and nationwide support. It would be tragic if the basic reclamation policies of the Nation were breached by the pressure of short-sighted and selfish local interests.

Early in September in Chicago, there was a conference of representatives of the Western States and of some Eastern States. I am not informed as to the proceedings of that conference, but the results have been made public. The resolutions and proposed amendments to the rivers and harbors and flood-control bills which were adopted by the conference were printed in the CONGRESSIONAL RECORD on September 19, appearing on page 7988. In this letter I want to emphasize the major policies of the Congress that those proposed amendments endanger.

Federal reclamation of arid and semiarid lands has proceeded, since the Reclamation Act of 1902, on the reciprocal basis of Federal provision of interest-free money and repayment by the local water users, without interest, of that part of the reclamation construction costs found to be within the repayment ability of the water users. As experience developed and economic circumstances changed or varied, the Congress, from time to time, very properly made changes in the repayment period and in the amount to be paid annually. However, throughout these legislative variations in the term of years and the basis of the annual charges, the Congress has adhered rigidly to the principle that the water users should repay without interest that part of the construction costs found to be within their repayment ability. That principle has been the essence of every repayment law. Repayment in accordance with that principle has been required by the Congress, ever since 1902, as one of the conditions upon which Federal funds would be provided for reclamation development.

The appropriateness of that condition has been underscored in the last decade when the Congress has undertaken the financing of reclamation developments, not only from the receipts from disposals of public lands but also from funds in the General Treasury, taxpayers' money.

Within the past few years there has been an increasing attempt on the part of a few local interests to have reclamation developments provided in connection with flood-control projects to be constructed by the Army engineers, without requiring adherence to the repayment principle or to the other policies of the Federal reclamation laws. One of the amendments proposed by the Chicago conference would authorize the Secretary of

War, in connection with any flood-control project the Army engineers build out West, to contract for water storage for irrigation and any other other beneficial uses on whatever terms the Secretary of War may deem reasonable.

The Congress, again ever since 1902, has prescribed, as another condition of Federal reclamation with interest-free money, that the lands receiving the benefits of the Federal reclamation developments, whether public lands or privately owned lands, shall be family-sized farms. Through Democratic and Republican administrations this condition has been reiterated by the Congress. Coupled with these so-called excess-land laws have been legislative provisions to prevent speculation in land prices.

In the past 15 years there have been three exceptions from the excess-land laws. Two of them have been legislative and one administrative. On June 16, 1938, the Congress provided "That the excess-land provisions of the Federal reclamation laws shall not be applicable to lands which now have an irrigation water supply from sources other than a Federal reclamation project and which will receive a supplemental supply from the Colorado-Big Thompson project." Legislative history will show that this Department reported favorably on that 1938 legislation, which did not provide a blanket exemption. On November 29, 1940, the Congress exempted from the excess-land laws the lands served by the Truckee River storage project, Nevada, and the lands served by the Humboldt River Reservoir in the same State. Legislative history will show that, although this Department did not report favorably on that blanket exemption, it interposed no objection. However, I am now certain that there was no justification for the unqualified exemption regarding the Nevada projects and that the act providing a partial exemption for the Colorado-Big Thompson project should have been so framed as to give greater assurance that the reclamation land policy of the Congress would be in effect on that project.

In 1933, in connection with a repayment contract between the United States and the Imperial Irrigation district involving the All-American Canal, my predecessor ruled that at least some of the lands which would be serviced by the new canal were not subject to the excess-land laws. The extent of that ruling, its basis, and its governing effect are not clear.

Besides those three exceptions, the record shows that the administration and enforcement of the excess-land laws has shortcomings. Many practical difficulties were caused by shifts in and consolidations of ownerships during the depression years. However, the shortcomings to an extent have outlasted the situations that gave rise to them.

In the Columbia Basin Project Act of 1943, consideration was given by the Congress to the length of time over which the anti-speculation provisions of the excess-land laws need to be applied in order to accomplish their purpose. This Department recommended for that particular project a 10-year period for each block of irrigation lands involved. The Congress adopted, and the law provides, a 5-year period. Some limited period for application of the antispeculation provisions, long enough to protect settlers against being victimized by land speculators yet shorter than the full repayment period, might be desirable for all reclamation projects.

I mention these developments of the last 15 years because in the light of experience gained and changed conditions they show that there is need to recast the excess-land provisions of the Federal reclamation laws. However, I want it clearly understood that I believe that any new legislation on excess-land matters and antispeculation should adhere as closely as practicable to the long-established policies of family-sized farms and

of protection of settlers against speculative land prices. Failure of any new legislation, whether for a particular project or general in scope, to maintain those basic policies to the fullest extent practicable would seriously weaken the justification for Federal development of reclamation projects on an interest-free financial basis. It must be admitted, however, that the problems are complex and that even the local interests involved are conflicting. Ample proof of this fact is contained in the hearings conducted in California last summer by the subcommittee of the Senate Committee on Irrigation, headed by Senator DOWNEY.

The Central Valley project, like other recent and proposed Federal reclamation projects, will provide supplemental water supplies for lands which are already irrigated but which have inadequate water supplies. Like other recent and proposed projects, the Central Valley project will provide irrigation water supplies for large areas of lands not now irrigated. There also is a complication on that project arising from the fact that a substantial amount of irrigation water is pumped from underground sources instead of being delivered through surface distribution systems. Even so, in those hearings held last July from Sacramento to Bakersfield a hue and cry was raised against the blanket exemption from the excess-land laws urged by the proponents of the so-called Elliott amendment to the rivers and harbors bill. The protest came from members of the Grange; it came from representatives of urban labor organizations making common cause with the small farmers and farm workers; it came from representatives of church groups who pointed out that rural areas of family-size farms are stable enough to permit religious development, whereas large-scale, industrialized farming, with its generally itinerant farm labor, allows little opportunity for stable community life, religious and otherwise. Family-size farms for individual citizens, prosperous small towns supported by such an agriculture, and the good American community life they permit—those are the very things Congress sought since 1902 to promote and protect by the Federal reclamation laws.

Full credit should go to the members of the committee and to Congressman ELLIOTT, who, at the last hearing in Bakersfield, frankly recognized the complexity of the problem and stated their willingness to consider any compromise legislation that in a workable manner would deal fairly and reasonably with the developed farm lands which need and should receive supplemental water and that would provide at the same time, to the fullest extent practicable, for development of family-sized farms in the Central Valley area.

Following those hearings, local representatives of the Bureau of Reclamation in the Central Valley of California have been working with the various local interests with the objective of working out such compromise legislation, and progress is being made by open-minded discussion and cooperation in the area affected. Early in the next Congress, and perhaps during the present session of this Congress, there will be presented to the Congress for its consideration proposed legislation that will reflect those cooperative efforts. Yet the Chicago conference proposes that the Elliott amendment, which would make a blanket exemption of the Central Valley project from the excess-land laws, be reinserted in the rivers and harbors bill. It would be tragic not only as regards the future of the Central Valley project but also as regards the reclamation program in the West if the Elliott amendment became law.

The Chicago conference also proposes an amendment to the flood control bill which would have the effect of precluding any reclamation development by the Bureau of Reclamation under the Federal reclamation laws

in connection with an Army flood-control dam if any of the lands to be served already have a partial water supply from a locally operated system. The flood control bill would authorize a number of multiple-purpose projects in California which would provide irrigation water supplies and which this proposed amendment, in effect, would exempt from the reclamation laws.

The President and I have urged that the proposed multiple-purpose developments in California should be constructed by the Bureau of Reclamation so that the reclamation developments in that State which will be served by these Federal structures will be carried forward under the Federal reclamation laws. Consistency with the policies Congress has iterated, and reiterated from 1902 to date, requires it.

I would appreciate your placing this letter before the Senate so that it may be informed of the dangers inherent in these proposals of the Chicago conference.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Mr. MURRAY. Mr. President, I submit that this discussion of the problem proves conclusively that these projects concern reclamation, and that the amendment which I have offered should be adopted.

Mr. OVERTON. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point as a part of my remarks two telegrams, one from the Mississippi Valley Association and the other from the Ohio Valley Conservation and Flood Control Congress, urging the elimination of all controversial questions and the prompt passage of the pending bill.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., November 27, 1944.

HON. JOHN H. OVERTON,

United States Senate Chamber:

Mississippi Valley Association, representing 23 States with more than 50 percent of population of the United States, assembled in annual convention at St. Louis passed unanimously the following resolution and endorsement:

We urge immediate passage of the flood-control bill, H. R. 4485, and recommend acceptance of the coordinated plan of Missouri Basin development agreed upon by the Army engineers and Bureau of Reclamation. Immediate passage of this bill necessary to preparations for timely post-war readjustment and in order that flood damages and erosion damage of continually increasing amounts may be stopped.

LACHLEN MACLEAY.

ST. LOUIS, MO., November 28, 1944.

HON. JOHN H. OVERTON,

Committee on Commerce:

The Ohio Valley Conservation and Flood Control Congress urge you to eliminate all controversial questions and projects and then pass flood-control bill.

DR. CHARLES E. HOLZER, *President.*
ALAN N. JORDAN, *Secretary.*

Mr. OVERTON. Mr. President, I wish to make a few brief observations with reference to the matters on which the very able junior Senator from Montana [Mr. MURRAY] has made comments today. I shall take them up in the order in which he presented them. I shall not undertake to cover the whole subject matter of his remarks.

The junior Senator from Montana did appear before the House Committee on Flood Control, and he filed with that committee, without reading, a written statement. In that written statement he did propose the amendments to which he has referred. Substantially, however, those amendments have been incorporated in the present bill. They are not word for word as suggested by the Senator from Montana, but they are substantially the same. They relate to irrigation and electric power. It is my understanding that both those amendments meet with the approval of the Department of the Interior and the Bureau of Reclamation.

The Senator has referred to a letter written by the President on February 7, 1944, to the chairman of the House Committee on Flood Control. So far as I am concerned, I endorse the statement made by the President of the United States. He undertakes to show a line of demarcation between reservoirs for reclamation and irrigation purposes and those built for flood control and navigation. One category is to be built by the Bureau of Reclamation, and the other by the Army engineers. I quote from the letter of the President, found on page 935 of the House committee hearings, in the statement of the Senator from Montana. The President said:

In my letter of May 5, 1941, I suggested that a sound policy in connection with these water projects would consist of selecting the construction agency by determining the dominant interest. Projects in which navigation or flood control clearly dominate are those in which the interest of the Corps of Engineers is superior, and should be so recognized. On the other hand, projects in which irrigation and related conservation dominate are those in which the interest of the Bureau of Reclamation in the Department of the Interior is paramount, and should be so recognized.

The projects in this bill are along the lines suggested by the President. According to the testimony, as appraised by the Committee on Commerce, there are no projects in this bill proposed to be constructed by the Army engineers in which the interests of flood control do not predominate, and in the rivers and harbors bill there are no projects in which the interests both of flood control and navigation are not the predominating and controlling factor. In the joint report submitted as a result of a conference and agreement between the Bureau of Reclamation and the Army engineers that policy has been carried out, and the reservoirs in which the predominant interest is conservation, irrigation, and reclamation are to be under the control of the Bureau of Reclamation and the Department of the Interior. Those in which navigation and flood control predominate are to be under the control and operation of the Army engineers. I think what the President has said is fair, and that policy is the one which is being pursued.

The able junior Senator from Montana has made considerable comment in reference to the Sacramento and San Joaquin Rivers and the Central Valley, in California. The principle to which I have

just referred was carried out in respect to the projects contained in the bill which were authorized for those streams. The testimony shows, I think rather conclusively, that the projects herein authorized to be constructed by the Army engineers are ones in which flood control predominates over irrigation. Of course, the Senate will understand that, insofar as irrigation is concerned, all surplus water which can be used for irrigation is turned over to the Department of the Interior, and the method of irrigation and the operation of the irrigation works are under the control of the Department of the Interior.

There was another and I think a very cogent reason which addressed itself to the members of the Committee on Commerce as to why these projects should be authorized to be constructed by the Chief of Engineers. It is that of the 78 irrigation associations in the Central Valley; all except 2, which I do not think appeared or made any statement at all, desired that those projects be constructed by the Army engineers.

Mr. President, stated briefly, that is the reason which actuated the Commerce Committee. The original authorization was made in the House, and one or two, or three or four projects were added by the Commerce Committee.

Mr. President, I think I could not present to the Senate a better argument in favor of this policy and a finer tribute to the Corps of Engineers than that made by the very distinguished junior Senator from Montana. He later appeared before the House Committee on Flood Control, and I wish to quote from his statement before that committee. His statement was not merely a prepared one filed with the committee, but it was an oral statement made in response to questions propounded to him, and it contained his own off-the-reel observations, as it were. I read from his statement:

Senator MURRAY. I will speak just very briefly. I was here on the occasion of filing my statement and listened very attentively to the statements being made by Colonel Reber of the Army engineers, and I was so impressed with the fact that the Corps of Army Engineers understood this problem so perfectly that I did not have any apprehension but what the rights of the upper States would be very well safeguarded.

At that time the Senator was speaking in respect to the Missouri Valley.

I now omit a part of the Senator's statement; I shall not quote all of it, because it is too long. At a later point in his statement he said:

I want to say that I feel that I can endorse the Army engineers' program here, because I am confident that with their knowledge of all the interests and conditions involved, they are not going to overlook the need of protecting the rights of the upper States, the neglect of which would be a great injury to the Nation as a whole.

I now quote from another part of the Senator's statement:

I merely want to say that I approved the Army engineers' effort because I am confident that they are going to work out a program that will be beneficial to all the States involved and to the country as a whole.

Later in his statement the Senator said:

I can see no basis whatever for any feeling that the rights of our State would be jeopardized in any manner by the Pick report or by the Army engineers, in any respect, if their enunciated policies are carried out.

Later in his statement the Senator said:

I have the greatest confidence in the Army engineers. I think we are very fortunate to have this agency, which has made such a thorough study of these problems, to work out this project, and I am satisfied that as a result of their efforts we are going to solve this problem for the mutual benefit and advantage of all the States involved.

Mr. MURRAY. Mr. President, will the Senator permit me to interject at this point?

Mr. OVERTON. Certainly.

Mr. MURRAY. I wish to say that I expressed my judgment at that time. But I was exceedingly disappointed to find that they utterly disregarded the interests of the upper States, and flatly refused to do anything about it at the time. I was impressed by the way they talked and by the assurance they gave us offhand when we would talk with them. But since then I have discovered that they had no intention whatever of recognizing and respecting the irrigation rights of the upper States.

It was not until the Missouri Valley Authority bill began to be agitated that they changed their minds with reference to that.

I wish to say that the Army engineers are very able and very persuasive men. I noticed an article which appeared in the Survey Graphic a short time ago, which describes the ability of the Army engineers to develop good will amongst the people. The article says, in part:

Colonel Pick has a flair for stirring up good will by personal contact and extending it by sound techniques. Into his division office he has introduced the first public-relations man—and to date the only one—ever to operate in the sacred and somewhat tongue-tied purview of the Army engineers. This was William E. Langdon, an able ex-journalist from New England.

The article then describes how he developed his plan, which is not a completely worked-out plan but is a mere conglomeration of projects which will have to be more thoroughly engineered after they are approved.

But I wish to say that he did impress me at the time, and I have the utmost confidence that there was no intention on the part of the Army engineers to ignore the rights of the Northern States.

Mr. OVERTON. Mr. President, the able junior Senator from Montana did specifically endorse the Pick report—and it is what is authorized in the pending bill—because he said:

I can see no basis whatever for any feeling that the rights of our State would be jeopardized in any manner by the Pick report or by the Army engineers, in any respect—

And so forth.

Mr. MURRAY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HALL in the chair). Does the Senator from

Louisiana yield to the Senator from Montana?

Mr. OVERTON. I am glad to yield.

Mr. MURRAY. That statement was made in connection with my amendment which was proposed at that time, and which I was led to believe would be accepted by the engineers. They promised us on numerous occasions that their plan would not in any manner rob the Northern States of their water rights; and assuming that they were telling the truth about that, I was confident that they would accept the amendments which merely carried into effect their protestations that there was no intention to deprive the irrigation States of their water rights. Therefore, I was willing at that time to go ahead with the program provided recognition were given to the irrigation rights of the Northern States.

Mr. OVERTON. Mr. President, the Assistant Chief of Engineers, as well as all the engineers who appeared before our committee, stated that they had absolutely no objection whatsoever to the irrigation and power amendments which were suggested by the Secretary of the Interior. They were similar to those suggested by the Senator from Montana, and were subsequently incorporated in the pending bill. The engineers stated that they were perfectly willing to turn over to the Department of the Interior control of the power generated for distribution, and were perfectly willing to turn over to the Bureau of Reclamation the distribution of all surplus water held back by the dams constructed by them, the distribution of which would come under the reclamation law, or would follow whatever method Congress might determine upon.

The amendment suggested by the Senator from Montana is in opposition to the agreements entered into as set forth in the joint report between the Bureau of Reclamation and the Army engineers which has already been authorized by this body. That report covers the entire Missouri River Basin, including the reservoirs and dams which would be constructed by the Army engineers, as set forth in the report, and the remaining reservoirs which would be constructed by the Bureau of Reclamation.

Mr. President, I ask that the amendment be not agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. THOMAS of Oklahoma. Mr. President, I have an amendment lying on the desk, which I call up and ask to have immediately considered.

Mr. OVERTON. Mr. President, I may say to the Senator from Oklahoma that I had the amendment incorporated in the bill during the Senator's absence.

Mr. THOMAS of Oklahoma. Mr. President, I understand that the amendment has already been incorporated in the bill. That is satisfactory to me.

Mr. OVERTON. The amendment was agreed to yesterday.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MURRAY. Mr. President, I am contemplating offering another amendment, but I do not have it perfected at this time. Inasmuch as it is near the time when we usually recess, I should like to have the matter go over until tomorrow. I assure the Senate that I do not intend to take up the time of the Senate unnecessarily, and that I can present the amendment with due dispatch when the Senate convenes tomorrow.

Mr. HILL. Does the Senator have in mind the amendment which he has been contemplating in connection with the creation of a Missouri Valley Authority?

Mr. MURRAY. That is the amendment which I have in mind.

Mr. HILL. I may say to the Senator that I favor a Missouri Valley Authority. Of course, as the Senator knows, any legislation which would create a Missouri Valley Authority would necessarily cover many different subjects. The legislation would be very broad in its scope, and very far reaching. As the Senator further knows, no opportunity has been afforded to hold any hearings on proposals of that character, no opportunity has been afforded to consider such a proposal in executive session, or for a committee to carefully consider it. That applies particularly to proposals of this character, which are broad in scope and far reaching in their effects. I wonder if the Senator insists on offering his amendment.

Mr. MURRAY. Mr. President, I appreciate the observations of the distinguished Senator from Alabama.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. ELLENDER. On several occasions I have stated on the floor of the Senate that I strongly favor the project referred to by the distinguished Senator from Montana. However, I for one would not vote for the proposal unless hearings were held and perhaps some changes were made in the proposal.

I have had occasion to discuss the matter with my distinguished colleague [Mr. OVERTON], the chairman of the subcommittee, and I have been assured that he is willing that hearings be held on the proposal. He has assured me that if, after the Seventy-ninth Congress has convened, the measure proposed by the distinguished Senator from Montana shall be introduced, he will see to it that hearings are held on it at an early date. With that understanding, I wonder if the Senator from Montana would not be good enough to refrain from pressing his amendment at this time.

Mr. MURRAY. Mr. President, I appreciate the sentiments expressed by the several Senators.

Mr. WHITE. Mr. President, will the Senator yield to me?

Mr. MURRAY. I yield.

Mr. WHITE. I hope the Senator from Montana will not press his amendment

at this time. I understand that no hearings have been held on it. But, quite apart from that, it is a matter of a highly controversial nature. It would require the development of a quorum, it might lead the Senate into long debate, and I feel it would be unfortunate if the matter were pressed at this time, regardless of whatever disposition might be made of it.

Mr. MURRAY. Mr. President, I have felt compelled to offer the amendment because I have believed right along that if we permit the bill in its present form to be passed, we might be foreclosed from having my proposal brought up for consideration before the convening of the next Congress. The bill as presented in the Senate in the first instance contained provisions which, of course, have since been eliminated. However, I have felt right along, in view of the fact that the program for the development of the entire Missouri River Basin is a comprehensive one, that it provides a list of projects which would cover the entire river from one end to the other, and that it is proposed that the development be carried out under the Bureau of Reclamation and the Army engineers under a joint agreement which was recently entered into by the two Federal agencies, that that situation might be recognized and considered as a complete solution of the problem. It is also my fear that the Senate might hereafter feel that there was no need of a new over-all agency which would carry on a unified development of the river.

Of course, the President's letter which was recently read to the Senate indicated that he recognized the agreement which was entered into as merely a step in the right direction, but that it did not cover the entire field. It would be impossible to bring about a complete development of the Missouri River Basin to the best interests and welfare of all the people without there being provided one single agency which would have complete jurisdiction. It should not be necessary to go back and forth between agencies and up and down the river to the various States in order to obtain consent to undertake various activities.

Mr. AIKEN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Vermont?

Mr. MURRAY. I yield.

Mr. AIKEN. I was interested in the remarks of the distinguished junior Senator from Louisiana [Mr. ELLENDER], to the effect that he had discussed the matter with the chairman of the subcommittee which would hold hearings on the bill which the Senator from Montana has introduced. May I ask to what committee he refers?

Mr. ELLENDER. Mr. President, I understood that this matter was to be referred to the Committee on Commerce, and that the senior Senator from Louisiana is chairman of the subcommittee which usually holds hearings on the subject.

Mr. AIKEN. Has that arrangement been effected?

Mr. MURRAY. No; it has not been effected, and I did not consent that the

bill should be sent to that committee. I promised the chairman of the Committee on Commerce that I would discuss the matter with him after the bill had been reintroduced on the opening of the new Congress, and determine then whether the bill should go to the Committee on Commerce. The bill as introduced during this session went to the Committee on Agriculture and Forestry, and also to the Committee on Irrigation and Reclamation.

Mr. ELLENDER. I happen to be on the Committee on Agriculture and Forestry, and if the bill should go to that committee, I assure the Senator that I shall do all in my power to have hearings held as soon as possible.

Mr. AIKEN. I hope the junior Senator from Louisiana will help keep bills of this nature in the Committee on Agriculture and Forestry, because in the great Central West and Northwest, the States of Montana, Wyoming, Colorado, Utah, and all the others, there are tens of thousands of producers, and if the Agricultural Committee should give up jurisdiction over a bill of this nature, it would be an admission that producers existed for the benefit of transportation companies.

Mr. ELLENDER. I was under the impression that the distinguished Senator from Montana expected to send his bill to the Committee on Commerce, and that is why I discussed the matter with my colleague. But if he should insist on sending the bill where I believe it belongs, I shall then do what I can to have hearings at the earliest possible date.

Mr. HILL. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. HILL. I understand the declaration of policy which was in the bill, which the author of the Missouri Valley Authority bill thought might be prejudicial to the M. V. A. bill, has now been stricken from the bill, and the provision in the bill creating the Missouri River Commission has also been stricken out. So that as the bill now stands, as I understand, there is nothing in it which would be prejudicial, or inimical, let me say, to the creation of a Missouri Valley Authority. As I understand, by the passage of the bill we would take the first step which the President recommended. The second step would be the creation of the Missouri Valley Authority. As I stated previously, I favor a Missouri Valley Authority.

The distinguished senior Senator from Louisiana, who is chairman of the subcommittee of the Committee on Commerce, which handles all flood-control, river-and-harbor, and waterway legislation, is present, and I wondered if he might not at this time make a statement as to what his disposition would be in the event the Missouri Valley Authority bill should be referred, in the next Congress, to the Senate Committee on Commerce.

Mr. OVERTON. If the Senator from Montana will yield—

Mr. MURRAY. I yield.

Mr. OVERTON. Of course, I do not know whether the bill is to be referred

to the Senate Committee on Commerce, and I do not know whether I would be chairman of the subcommittee which would handle it, but in the event I should be, I am willing to give assurance that there would be no undue delay in taking up the bill for hearings and for disposition before the Committee on Commerce. I talked with the chairman of the Committee on Commerce late this afternoon, and he stated he would proceed in the usual course in handling this bill, and that there would be no undue delay. I do not think there has ever been any undue delay on the part of the Commerce Committee in connection with proposed legislation.

Mr. MURRAY. The question of jurisdiction in this case is a matter which of course will be taken up in the next Congress. I do not concede that the bill should properly go to the Committee on Commerce, but, as I have said, that is a question which will have to be determined when the bill is reintroduced at the next session. But I should like to have the chairman of the Committee on Agriculture and Forestry, who is present, express his views on this subject.

Mr. THOMAS of Oklahoma. Mr. President, if the Senator will yield, my State does not happen to be in the Missouri Valley. My State is in the Arkansas Valley. The junior Senator from Arkansas has a bill pending proposing to create an Arkansas Valley Authority. That is very important, and I favor something along that line, and I favor something along the line of the Missouri Valley Authority.

I will say that if in the next Congress I am chairman of the Committee on Agriculture and Forestry, as I hope and expect to be, and if the Committee on Agriculture and Forestry shall be given jurisdiction of this subject matter, we shall have before the committee not only the Missouri Valley Authority bill, but an Arkansas Valley Authority bill, and upon request of the authors of the bills, if they desire to have subcommittees appointed, or desire to have the main committee hold hearings, it will be my pleasure, and I hope my opportunity, to authorize the appointment of subcommittees immediately, or to have the entire committee hold hearings. In other words, I should like to cooperate, to the end that full hearings may be had, and, if possible and agreeable, a bill be reported and passed by the Senate at the earliest possible moment.

Mr. MURRAY. I thank the Senator for his observation. When I introduced the bill in the first instance, it was my judgment that it properly should go to the Committee on Agriculture and Forestry, but at the time it was introduced, the distinguished Senator from Wyoming asked that it also go to the Committee on Irrigation and Reclamation. Of course, if it goes to the two committees, there would be no difficulty, I suppose, in holding a joint hearing, but it does not seem to me it properly belongs in the Committee on Commerce at all, and I should prefer to see it in the Committee on Agriculture and Forestry, because then we would have an impartial chairman, one who did not reside in the

area involved, and one who would be inclined to be more equitable in his consideration of the problem.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. AIKEN. I call attention to the fact that the Committee on Agriculture and Forestry has from the beginning handled all the Tennessee Valley Authority bills which have been introduced, and I think they have been very well handled. As everyone knows, the Tennessee Valley Authority is a model of developments of its kind. It appears to me that producers should come first. I presume there are upward of a million farm families in the area drained by the Missouri River and its tributaries; there must be several hundred thousand, at least. It seems they should be given the first consideration, and that transportation should be incidental to production. That is, we must have production before we can have transportation. Therefore the committee which has to deal with the producers should have jurisdiction over bills of this nature.

Mr. MURRAY. Mr. President, in view of the expressions of the several Senators who are interested in this subject, in regard to the bill being considered in the next Congress, and who have stated it would be given sympathetic consideration at that time, I do not wish to prolong the consideration of the flood-control bill by offering my bill now as an amendment, but I should like to present briefly my views on the need of such an authority so as to carry forward the program which we are about to enact, and I wish I could have the matter go over until tomorrow morning to present my views.

Mr. OVERTON. Would there be any objection to our passing the bill at this time, since there do not seem to be any further amendments to be offered, and tomorrow have the Senator make his remarks in reference to the amendment he proposes to offer next year, or the bill which is now before the Committee on Agriculture and Forestry? Since it is not to be offered as an amendment to this bill, can we not pass the bill now, and the Senator can take advantage of tomorrow's session to make his observations?

Mr. MURRAY. I should like my discussion of the matter to be a part of the debate and the consideration of the bill which is now pending. It would be somewhat irregular, it seems to me, to pass a bill and to discuss it afterwards. I should very much like, if the Senator will permit me to do so, to discuss the bill while it is still being considered. I assure the Senator now that I do not intend to prolong consideration of the pending bill, and I shall not offer my amendment. I merely wish to present my views.

Mr. GEORGE. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield.

Mr. GEORGE. I ask the Senator in charge of the bill whether there are other amendments to be considered to the bill?

Mr. OVERTON. So far as I am advised, there are no other amendments to the bill. Time is of the essence, not only

in undertaking this legislation but the river-and-harbor legislation immediately to follow; and if we postpone passage of the bill another day, we simply have lost 1 day.

Mr. MURRAY. We will be through with it in an hour after the Senate convenes tomorrow. Passage of the bill can be had quickly tomorrow.

Mr. OVERTON. There is another consideration. When the bill is finally passed and it is printed the members of the House Flood Control Committee will want to study the bill, and they generally keep such a bill under advisement a few days so they may understand its provisions before they wish to go into conference with respect to it.

So there would be a day lost if we put off the passage of the bill until tomorrow. If we pass the bill today it will be immediately printed and go to the House. I should be delighted to hear the Senator on the bill, but I should like to have the bill passed so it can go to conference. It must go to conference. The House is not going to agree to all the Senate amendments.

Mr. MURRAY. Mr. President, it seems to me I am saving a considerable amount of time by withholding this elaborate amendment.

Mr. OVERTON. Oh, the Senator is, and I am very much indebted to him, I will say to him, and I thank him very much.

Mr. MURRAY. The reading of the amendment alone would take about an hour. I think it would make me appear very foolish if I were to undertake to argue the matter after the bill had been passed.

Mr. OVERTON. Mr. President, I wonder if it is possible at this time to fix by unanimous consent an hour at which to vote on the bill.

Mr. HILL. Mr. President, if we were to seek to fix an hour at which to vote on the bill it would be necessary to have a quorum call. The Senator knows that if such a request were to be made it would be necessary to have a quorum call. I should not like to have suggestion of the absence of a quorum at this time. I understand the Senator from Montana will speak about an hour on his proposal.

Mr. MURRAY. Yes. Mr. President, in connection with my remarks, I ask to have printed in the RECORD at this point certain telegrams.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

GREAT FALLS, MONT., November 28, 1944.

Senator JAMES E. MURRAY,

Senate Office Building,

Washington, D. C.:

This is to let you know that our organization is back of you in your work for M. V. A. We feel we must not lose this fight.

Urge that no compromise be accepted and if necessary, action on all pending legislation be deferred until new Congress convenes. Much sentiment can be aroused in country for M. V. A. with more time.

D. W. CHAPMAN,

President, Montana Farmers Union.

HELENA, MONT., November 28, 1944.

Hon. JAMES E. MURRAY,

Senate Office Building:

Montana people appreciate your efforts behalf M. V. A. Hope legislation on Missouri

development may be postponed until next session of Congress.

SAM. W. MITCHELL,

Secretary of State.

WOLF POINT, MONT., November 29, 1944.

Senator JAMES E. MURRAY,

Washington, D. C.:

In regular convention October 7 Farmers' Union of McCone County endorsed the M. V. A. bill unanimously. Please do all in your power to prevent the bill from being killed by "lame duck" session. Membership of McCone County, 1,200.

O. B. HORSFORD,

Chairman, Resolution Committee.

GREAT FALLS, MONT., November 29, 1944.

Senator JAMES E. MURRAY,

Senate Office Building:

Have been in Montana a few days. Find keen sentiment on your great fight for Missouri Valley Authority. If there is a possible way of holding up final action until new Congress convenes, we can give you solid support.

H. D. ROLPH,

Vice President, National Farmers Union.

BUTTE, MONT., November 28, 1944.

Senator JAMES MURRAY:

Keep up good work on M. V. A. Try to stop any action until new Congress convenes.

ED. C. VAWTER,

Secretary, M. C. P. P. A.

WOLF POINT, MONT., November 29, 1944.

Hon. JAMES E. MURRAY,

United States Senator:

This organization composed of 450 members residing in the counties of McCone and Roosevelt most urgently urge the passage of the Missouri Valley Authority bill. They foresee great possibilities in the use of waters distributed over this entire valley by the use of power already being developed at the Fort Peck Dam and are full in accord with the bill as now written. In the event of an attempted defeat of this bill in this short session they insist that no definite action be taken until the regular session is organized. We do not want this legislation defeated by a few lame ducks who have a grudge they want to fulfill.

FARMERS UNION OIL Co.,

P. R. DOUGHERTY, Manager.

DENVER, COLO., November 28, 1944.

Senator JAMES E. MURRAY,

Senate Office Building,

Washington, D. C.:

Have wired Colorado, Wyoming, and New Mexico Senators as follows: "Rocky Mountain Farmers Union feels no adequate solution for regional river valley problems possible through enactment of flood-control and rivers and harbors bills. Therefore we urge that final action on these bills be postponed until next session of Congress for better permanent solution. We vehemently protest any shackling of public power program such as that of Bailey amendment."

HARVEY R. SOLBERG,

President, Rocky Mountain Farmers Union.

SALINA, KANS., November 28, 1944.

Senator MURRAY OF MONTANA,

Senate Building:

Our organization is bitterly opposed to the flood-control and rivers and harbors bills presently being considered. We abhor the efforts of special interest groups to pass legislation foreclosing the people's rights to full development and use of the vast resources of our valleys. The bills now under consideration will waste vast sums of money in partial development of our river valleys for the protection of and use by special-interest groups. We urge you to use all of your influence to have these bills carried over to the

next session of Congress when time will be available to give proper consideration to full development of our valley resources in the interest of all of the people.

KANSAS FARMERS UNION.
E. K. DEAN, *President*.

CHIPPEWA FALLS, WIS., November 28, 1944.
Senator JAMES E. MURRAY,
Senate Office Building,
Washington, D. C.:

Present flood-control and rivers and harbors bill should be delayed until next session. They do not fulfill needs of people. We favor both M. V. A. and St. Lawrence waterway project as now proposed to serve all the people. Wisconsin Farmers Union on record for a complete program in development of natural resources that will serve farmers and others to the fullest utilization of resources.

WISCONSIN FARMERS UNION,
K. W. HONES, *State President*.

BUTTE, MONT.,
November 28, 1944.

Senator JAMES E. MURRAY,
Washington, D. C.:

Organized labor here feels that any further action on flood-control bill in the absence of establishment of Missouri Valley Authority should be postponed until after the convening of next Congress in 1945.

JOHN CRAWFORD.

WOLF POINT, MONT.,
November 29, 1944.

Hon. JAMES E. MURRAY,
United States Senator:

In contacting a great many of my neighbors and party associates in Roosevelt County they are unanimously of the opinion that the Missouri Valley Authority bill should be enacted as now written. They feel that this measure is one of vital importance as a post-war project in the development of permanent farming possibilities thereby furnishing employment and homes for returning servicemen.

ALEX SANSAYER,
Chairman Democratic Central Committee.

JAMESTOWN, N. DAK.,
November 28, 1944.

Hon. JAMES E. MURRAY,
Senate Office Building,
Washington, D. C.:

Sincerely hope you will do everything in your power to defeat rivers and harbors bill presently before Senate. If passed it will, in my judgment, make impossible the creation of an independent regional authority for unified and complete development of the Missouri River's resources as envisaged in Murray-Cochran bill. Our State Farmers Union organizations in Montana, North Dakota, Iowa, Colorado, and Kansas have already endorsed the Murray-Cochran bill. The national Farmers Union in annual convention at Denver, Colo., last week unanimously endorsed the Murray-Cochran bill and also unanimously recorded opposition to any legislation which would prevent complete unified development by a regional authority. Members of national Farmers Union committee on regional resource development are, in addition to myself, D. W. Chapman, president, Montana Farmers Union; E. K. Dean, president, Kansas Farmers Union; Harvey R. Solberg, president, Rocky Mountain Farmers Union; John Skage, South Dakota Farmers Union; Tom W. Cheek, president, Oklahoma Farmers Union; Roland Jones, Oregon Farmers Union; Ed. Roellofs, Iowa Farmers Union; Hans Hansen, Nebraska Farmers Union; R. W. Hones, Wisconsin Farmers Union; Dr. M. E. Dickinson, Arkansas Farmers Union. You have the united support of Farmers Union in

your opposition to rivers and harbors bill now before you.

NATIONAL FARMERS UNION COMMITTEE
ON REGIONAL RESOURCES DEVELOPMENT,

By GLEN J. TALBOTT, *Chairman*.

Mr. WHERRY. Mr. President, I should like to ask the distinguished Senator from Montana if he will yield so that I may ask a question of the acting majority leader.

Mr. MURRAY. I yield to the Senator from Nebraska for that purpose.

Mr. WHERRY. I should like to ask the distinguished Senator from Alabama [Mr. HILL] if I correctly heard him say in the statement he made a few moments ago that he considered the passage of this bill to be the first step toward establishing the Missouri Valley Authority.

Mr. HILL. No; I said that the President in his letter suggested two steps—that two things be done. One was to have the Congress consent to the agreement which had been reached between the Bureau of Reclamation on the one hand and the Army engineers on the other hand. The second step which the President suggested was the creation of the Missouri Valley Authority.

Mr. WHERRY. I understand now what the Senator from Alabama had in mind. I simply want the RECORD to show that, so far as I am concerned, I shall vote for the pending bill on its merits, and that when the proposal for the establishment of a Missouri Valley Authority comes up for consideration, I shall consider it on its merits. I have not given any thought to the Missouri Valley Authority, and I do not want the RECORD to show that I am voting on this bill as a step toward anything, although when the Missouri Valley Authority proposal comes before the Senate I shall give it full consideration. I wish the RECORD to show that, so far as I am concerned, I, as a Senator from Nebraska, am voting for the passage of the pending bill, which I hope will be passed, on the merits of the bill itself.

Mr. MURRAY. As I understand the Senator from Nebraska, there is no prejudice against the proposed legislation or against the proponents of the proposed legislation.

Mr. WHERRY. In answer to the question of the distinguished Senator I wish to say that I have not committed myself with respect to the Missouri Valley Authority. What I wish to have understood is that I am not voting for the pending bill with the idea that it is a first step toward anything except what is in the bill itself, and I believe in the bill, and I want to go on record as saying that I support it. When the proposal with respect to the Missouri Valley Authority comes up for consideration we will discuss it and take it up on its own merits.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. HILL. The Senator from Nebraska wishes to make it clear that in voting for the bill he is not committing himself to any future legislation.

Mr. WHERRY. That is correct. I am not voting for anything except what is in the pending bill itself.

Mr. MURRAY. Of course, when the Missouri Valley measure comes up and the Senator from Nebraska is shown how important and how necessary it is to establish the Missouri Valley Authority, he will have no prejudice against it.

Mr. WHERRY. I will say to the distinguished Senator from Montana that when that moment arrives there is no one in the Senate to whom the Senator from Nebraska will give greater attention than the Senator from Montana. He will listen with the greatest respect and consideration to the Senator's explanation, and after the explanation is made, the Senator from Nebraska will govern himself accordingly. After hearing the explanation which the Senator from Montana will make the Senator from Nebraska will make up his mind as to whether he will support the bill.

Mr. MURRAY. I thank the Senator.

Mr. WHERRY. I will say, Mr. President, that I have the highest respect for the Senator as chairman of the Senate Small Business Committee. He has been a friend of small business and I will give him close attention and consideration when he makes his explanation with respect to Missouri Valley Authority.

Mr. MURRAY. I thank the Senator.

Mr. HILL. Mr. President, will the Senator from Montana yield so I may make a motion that the Senate recess?

Mr. MURRAY. I yield.

RECESS

Mr. HILL. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate took a recess until tomorrow, Friday, December 1, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 30 (legislative day of November 21), 1944:

DIPLOMATIC AND FOREIGN SERVICE

Alexander C. Klrk, of Illinois, now United States representative on the Advisory Council for Italy, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Italy.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers for appointment and promotion in the Regular Corps of the United States Public Health Service:

To be assistant surgeons effective date of oath of office:

Raymond F. Corpe
Reuben W. Wildmer

Assistant surgeons to be temporary passed assistant surgeons effective dates indicated:

William R. Rosanoff, October 1, 1944.

David F. Bradley, November 1, 1944.

Passed assistant surgeons to be temporary surgeons effective dates indicated:

Waldron M. Sennott, October 1, 1944.

Edwin N. Hesbacher, November 1, 1944.

William S. Baum, November 1, 1944.

Surgeons to be temporary senior surgeons effective November 1, 1944:

John D. Lane, Jr.
Robert K. Maddock

Charles R. Mallary

Senior sanitary engineers to be sanitary engineer directors effective dates indicated:

Frank R. Shaw, December 18, 1944.
 Howard N. Old, December 15, 1944.
 Passed assistant dental surgeons to be dental surgeons effective dates indicated:
 Robert H. Moore, November 16, 1944.
 Frank E. Law, December 24, 1944.
 Dental surgeons to be senior dental surgeons effective December 1, 1944:
 Frederick W. Harper
 Pendleton J. Slaughter

IN THE NAVY

Capt. Frederick W. McMahon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff and aide to commander, Air Force, United States Pacific Fleet.

Capt. Howard B. Macleary, United States Navy, retired, to be a commodore in the Navy, on the retired list, for temporary service, to continue while serving as commanding officer, United States Naval Advance Base, Espiritu Santo.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 30 (legislative day of November 21), 1944:

STATE DEPARTMENT

Edward R. Stettinius, Jr., to be Secretary of State.

FOREIGN SERVICE

Maj. Gen. Patrick J. Hurley, United States Army, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to China.

POSTMASTERS

ARKANSAS

Opal Mae Roland, Bryant.
 Myrtle Cunningham, Calion.
 Howard E. Powell, Gurdon.

Manley E. Nation, Lamar.
 Jesse C. Latta, Pollard.
 Riley B. Emory, Rose Bud.
 Don L. Van Horn, Weiner.
 William Hall, Widener.
 Alma T. Harnden, Wilson.

COLORADO

Otis Murray, Grand Valley.
 Elmer E. Owen, Minturn.
 Mary E. Harman, Pagosa Springs.
 Charlotte Coffman, Penrose.
 Irene E. Lee, Rico.
 Alice L. Myers, Roggen.

HAWAII

Arthur Chong Kong, Halaula
 Manuel F. Xavier, Puunene.

IOWA

Frank E. Barnes, Blakesburg.
 Laura M. Rheingans, Bristow.
 Bert Kirk, Drakesville.
 Ernest H. Brunsvold, Joice.
 Phoebe E. Stubbs, Lawton.
 Norman L. Meyers, Liscomb.
 Grover F. Eisele, Malcolm.
 James A. Ward, Melrose.
 Tom Olson, Okoboji.
 Helen C. Jorstad, Wallingford.

MISSOURI

Opal B. McCann, Cooter.
 Edward R. Sinnott, Edina.
 Maude M. Fleming, Graham.

MONTANA

Hazel B. Gross, Wyola.

NEW HAMPSHIRE

Charles Myers, Jaffrey.

NEW JERSEY

Frances McLaughlin, Blackwood Terrace.
 L. Raymond Gunter, Columbia.
 Samuel J. Billig, Mount Royal.

William T. Keeshan, Navesink.
 Peter Klapmuts, Oak Ridge.

SOUTH DAKOTA

Carl H. Weir, Huron.

VIRGINIA

William H. Long, Buena Vista.
 Alvah B. Chappell, Clarksville.
 E. Paul Osborne, Dungannon.
 Silas F. Hutchison, Herndon.
 Eliza B. Kennedy, Jewell Ridge.
 Marvin R. French, Pocahontas.
 Charles G. Coppedge, Powhatan.
 Lillias L. Martin, Toms Creek.
 William R. M. Moss, Virginia Beach.
 Mazie C. Sanders, Warsaw.

WASHINGTON

Inez G. Spencer, Creston.
 Edythe Pottratz, Cowiche.
 Carmel L. Bellinger, Gorst.
 William O. Kurth, Grand Coulee.
 Rose Champlin, Kennydale.
 Minnie A. Hubble, Veradale.

WEST VIRGINIA

Eugene B. Keenan, Nellis.
 Hazel M. Oliver, Pratt.
 Myra D. Duncan, Rachel.
 D. Watson Oxley, West Hamlin.

WITHDRAWALS

Executive nominations withdrawn from the Senate November 30 (legislative day of November 21), 1944:

POSTMASTERS

WASHINGTON

Mrs. Lena A. Vorels to be postmaster at Richmond Beach, in the State of Washington.

WISCONSIN

Elmer White to be postmaster at Brown-town, in the State of Wisconsin.

Page
1.

be sure that the British member will not act without the approval of the British Cabinet who, under their parliamentary system, will have to be sure of Parliament's support and who will also probably want to consult the other members of the British Commonwealth.

Such an arrangement fails very short of providing that unified executive command of force needed to make it an effective instrument. Proof of that is found in the fact that it is not relied upon to deal with either Germany or Japan. That weakness is not a deficiency of draftsmanship. It is a deficiency inherent in the present state of the world. There are only two ways to assure that force can be used effectively. One is the way of despotism. That puts force under an executive head who is free to use the force at his own discretion. That way provides uneasy security to those who are willing to buy it at the price of freedom. The other way is the way of free men. Through custom—common law—or through a legislative body they create a system of law adequate to regulate human behavior. Then they delegate to an executive the power and duty to enforce those laws. The executive has no discretion, but is bound to use force he controls without fear or favor, and against great and small. Those subject to law know in advance what conduct will attract a penalty and what conduct will assure protection.

That way was not, however, available to the authors of the Dumbarton Oaks proposals. There is yet no world acceptance, and therefore no effective definition, of proper and improper national conduct. It would not be enough to define and prohibit national misconduct of the flagrant type. For that would, by inference, legitimize evasions. To illustrate, the modern technique is to extend one's national domain by internal penetrations. We used that method to get control of the Panama Canal Zone, and since then others have perfected it. The difficulty of adequate definition is so great that the Chinese failed when they sought to incorporate in the Dumbarton Oaks proposals a definition of "aggression." It seemed that any definition which would give to some the freedom to which they felt entitled might also permit a license which might be abused by others. Therefore it was decided that each future international controversy, unless perhaps of the small "justifiable" class, would have to be dealt with as a matter of discretion.

It is difficult to quarrel with that conclusion, but it involves attaching to force so many strings that it cannot be an effective instrument of order. Thus, each of the nations so far participating in the plans for world organization has accepted the right of the Security Council to invoke force, but on the assumption that, through its representative, it will have a string on its use. In the case of the great powers, that veto power will be reinforced by national military establishments which will far surpass any peace quotas which will be made available to the world organization. Other prospective member states will also seek immunity from possible arbitrary action by the council and they may get it. If they do not get it directly, in the form of a veto power in the council, they may get it by side understandings with some major power acting as their protector. Also, even as now planned there must be at least one concurring vote in the council by a small state and five others will cast a vote which, while not controlling, will be morally very potent.

The cumulative result of all of this will largely immobilize the force quotas. Possibly their potentiality, on paper, will deter some minor disturbances. However, their use presupposes a political unanimity of the great powers which has rarely occurred and which, if it prevails, will itself assure peace.

Our commission was aware of the difficulty of arranging for the responsible and effective use of force in the absence of ade-

quate and world-accepted definitions of right and wrong conduct. We remembered that behind the policeman stands the executive, behind the executive stands a law-making body—and behind the law-making body there exists the moral consensus of the community. That is what is basic. Laws are ineffective unless they reflect that, and without laws there cannot be an executive—other than a despot—and without an executive there cannot be an effective administration of police power.

The great obstacle to world order is the lack of any universal moral judgments about national conduct. We cannot expect that until national groups have worked together in peace. Men harmonize and clarify their views about good and bad conduct when they are associated in common tasks. Victory in war is such a task, but there is so far no counterpart in peace. It is that which we would supply and it is that which our six pillars make primary. We want world organization to bring the nations together to work for stable economic and monetary conditions; to keep the treaty structure of the world abreast of changing underlying conditions; to make autonomy the genuine goal of colonial administration and to assure to individuals everywhere spiritual and intellectual liberty. Out of working together on such great tasks there can come a common judgment of what is decent national conduct, and a general agreement that, in matters of common concern, the general welfare should take precedence. That will, on the one hand, greatly reduce the occasions for the use of force, on the other hand it will make it possible to arrange so that force can be quickly and decisively used, when it needs to be used at all.

We can feel encouraged. The Dumbarton Oaks proposals contain great possibilities. The Economic and Social Council and related agencies can do much to develop fellowship among the nations. There still exists a possibility of broadening such functions so that they even more fully conform to our six pillars of peace program. The Security Council can be a forum where controversial matters are discussed, where public opinion may focus its pressures and where conflicting theories about national conduct may become reconciled. The World Court can be used to extend the reign of law. All of this can gradually engender the moral basis needed for a complete constitutional order.

The important thing is that we be realistic about the proposals and see their practical potentialities and work to develop them. In the present state of the world, the force proposals, as I say, are little more than scenery. We need not concentrate upon them all our concern. They alone cannot breathe life—either good life or bad life—into the world organization. Once we realize that, we can disengage ourselves from much of the current controversy about force and devote ourselves to developing those phases of the Dumbarton Oaks proposals which can really give vitality to world organization.

To achieve world-wide fellowship, to promote judgments which reflect the moral law, are tasks for which the Christian churches are peculiarly qualified. Only the discharge of those tasks can bring to world organization the elements of solid reality. We can carry on with confidence, knowing that in this matter also the Christian approach is the realistic approach.

ADDRESS BY THE MOST REVEREND J. SHEIL, D. D., AT C. I. O. CONVENTION

[Mr. MALONEY asked and obtained leave to have printed in the RECORD the address delivered by the Most Reverend J. Sheil, D. D., at the C. I. O. convention, Stephens Hotel, Chicago, November 20, 1944, which appears in the Appendix.]

THE TREATY-MAKING POWER

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article by Ralph W. Page, entitled "Senate Two-thirds Rule Faces Show-down," published in the Philadelphia Bulletin of November 25, 1944, and an editorial entitled "Majority Rule," published in the Nashville Tennessean of November 25, 1944, which appear in the Appendix.]

FLOOD-CONTROL PROJECTS

The Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. MURRAY. Mr. President, the debate which has been proceeding during the past week has brought forcibly to our attention and to the attention of the American people the need for some carefully planned, scientific method for the unified development of our great river basins.

For many years the complex problems of floods, droughts, soil erosion, seepage, silting, reforestation, and resource development have been under the jurisdiction of several conflicting Federal agencies—each one catering to some particular interest and seeking to solve some particular problem. Oftentimes these interests have been in conflict with each other. This situation has frequently brought into play arguments and disputes between these conflicting agencies blocking any unified program for the permanent solution of these problems.

On the lower stretches of the Missouri and Mississippi Rivers, for example, the problem has been exclusively one of floods. The endeavors of the people in those regions have been devoted entirely to protecting their homes and factories and schools and hospitals from being submerged annually by raging floods often reaching catastrophic proportions. The people in those sections may be said to have developed a sort of flood complex. All they can think of is the problem of escaping from destruction each year by building levees and embankments and taking similar protective measures. At the same time, the people in the upper reaches of the river have had to battle not only with periodic flood visitations but have had other problems, such as drought and soil erosion, to struggle with. Then there are others within the same watershed whose main interest is navigation.

The disastrous flood of June 1942, inundated tens of thousands of acres of fertile bottom lands, and rendered homeless thousands of people. The people of the valley had hardly had time to recuperate from that disaster, the like of which had not been known since 1903, when the valley suffered three intensive floods in 1943, when more than 7,000,000 acres of land were submerged, and damage to the communities estimated at more than \$153,000,000 was caused.

While these problems have been mounting, while the lives of millions of our people in the Missouri watershed have been in constant jeopardy, the

struggle of the conflicting interests has been going on unabated.

This situation was very clearly illustrated by the remarks of the distinguished senior Senator from Missouri [Mr. CLARK] on the floor of the Senate a few days ago. The Senator spoke only of protecting the States on the lower stretches of the river from the recurrent floods. The Senator said:

This is a flood-control bill and is necessary because frequently in my section, we are under the water. The Senator from Montana may not be so much interested in it, but down at my end of the Missouri Valley, we are under the water every year. We have had as many as two or three floods a year, and the whole theory of setting up a Missouri Valley commission is simply that while we pursue the present system of keeping the water off us so far as we can, we adopt the methods which have been used in the lower Mississippi Valley.

Continuing his address, the distinguished Senator from Missouri said:

The Senator from Montana, who lives on the upper reaches of the Missouri River, is in a position to regard the whole problem from an extremely theoretical view. I never in my life lived more than 15 miles from the Mississippi River and 20 miles from the Missouri River. I happen to live where the flood problems actually exist, and I therefore regard the subject from an extremely practical standpoint, not from a theoretical standpoint, not from reading newspaper editorials, not from reading Dave Lilienthal's book, not from reading anything of that sort. I regard it from the standpoint of a man who lives under the floods which come down.

Mr. President, of course, we all are in complete sympathy with the problem described by the distinguished Senator from Missouri, afflicting the people along the lower reaches of the Missouri and Mississippi Rivers. It is because we fully appreciate the disastrous effects of these recurring floods and are desirous of working out a program which will meet these problems successfully, and rescue the people of the suffering States from these annual devastations, that a Missouri Valley Authority is imperative. The M. V. A. is not based upon theory alone. That charge might have been leveled at the original T. V. A. bill when it was under debate in the Congress of the United States. From the experiences gained and the lessons taught as shown by the record of the Tennessee Valley Authority during the past 11 years, and from the manner in which it continues to operate, we know that the M. V. A. is no longer a mere theory, but is a sound and proven program.

It has demonstrated that it is more economical than any other method of regional development. It is the only way to bring about a unified development of the entire region in the best interests of all. Above all, we know that it is the most democratic way of doing the job that must be done in the Missouri Basin.

The theory of working out a solution from the standpoint of flood control alone has failed. It has failed continually for many years. Constant dredging and the building of levees and embankments have failed to solve the problem of navigation and flood control.

Handling this problem by the piecemeal method will never bring relief to the people in the Missouri Valley or any other valley. This is the considered opinion of outstanding engineers and students of the problem and is not the product of mere theorizers.

Today, we are riding the crest of wartime prosperity. Our factories are producing at full blast. Everybody who wants a job can find one. Yet when the fighting is over, we will no longer be able to depend upon wartime production and wartime spending to keep our economy in high gear. War contracts will be canceled. Many war factories will be shut down. Ten million returning servicemen, and millions of men and women who are now working in our factories, fields, and mines will be looking for employment.

During the past few months, it has been my privilege to take an active part in the writing of many bills that have been described as post-war legislation. I am referring to the Contract Settlement Act, the Surplus War Property Act, and the Mobilization and Reconversion Act.

Yet these measures were almost entirely limited to the liquidation of war production. They were not intended to come to grips with the fundamental problems of providing full employment in the post-war period.

During the months which lie ahead of us, the people of our country will be looking to the Congress for affirmative post-war legislation to assure an expanding post-war economy that will guarantee opportunity and security for industry, labor, and agriculture.

I visualize a great post-war expansion in aeronautics, in railroad transportation, in plastics, in light alloys, in electronics, in housing and in many other fields of private enterprise.

I visualize constructive legislation by Congress in the fields of social security assistance for small business, taxation, and international trade—as a means of promoting the expansion of private business enterprise.

Yet, by themselves, these measures will not be enough. Let us not forget that total national production is now running at a level of \$200,000,000,000 a year—and that almost half of this is for war production. It has been estimated that if after the war we allow the total national production to go back to the level of 1940, we shall have in this country 19,000,000 unemployed men and women.

Clearly, we need new and additional programs to provide the expansion that will be necessary to avert another economic crisis.

During the last depression, the creation of the Tennessee Valley Authority was an important factor in helping to carry us forward on the road to recovery. In this period, I submit, the creation of the Missouri Valley Authority and of similar agencies in the other great river basins of the country will be a decisive factor in avoiding a post-war depression and in providing an increasingly higher standard of living for the people of our country.

There is much talk these days about helping small business. Well, let us do

something concrete to help the thousands of small businessmen in the Missouri Valley and of the other great river basins of our country—by providing comprehensive river-valley programs that will bring cheap power and cheap transportation within the reach of every small businessman.

We talk much these days about preparing plans for returning soldiers and sailors. The program I have described will open new opportunities for our fighting men—opportunities to develop land that has been reclaimed, opportunities to embark upon fruitful small-business enterprises of their own.

We talk about the post-war welfare of our farmers. Let us not confine ourselves merely to developing new methods of subsidizing farm distress after it has occurred. Let us provide an integrated program for our major river basins that will protect the soil of our country and help to build an expanding and self-sustaining agricultural economy.

We talk about post-war planning. Well, the proposal to establish seven T. V. A.'s throughout our land is post-war planning in the most concrete, most practical, and most effective form that has yet been presented to the Senate of the United States.

If we are to reach the economic goal which President Roosevelt has set—an annual national income of \$150,000,000,000—it is necessary that the vast Missouri River be developed by a Missouri Valley Authority and that similar developments should take place in other river basins of the Nation. Everybody is in agreement that the country must have new developments—industrial and agricultural—if there is not to be a slump in the post-war period. This wide development and expansion of industry cannot take place wholly in the eastern sections of the country. The Eastern States are already overpopulated, in the opinion of individuals who have made a careful study of the subject. The Missouri Valley is one of America's great frontiers. We have the raw materials and the soil and the forests and the water. All that is needed is the application of a tried and tested system of development and exploitation. That work can be done successfully and economically only through a Missouri Valley Authority.

Mr. President, who is there who would deny that the world peace for which we are striving will depend on economic prosperity? Who is there who would deny that the prosperity of the world depends on the prosperity of the United States of America?

Mr. President, no one would accuse me of exaggerating when I say that the prosperity of America—and hence the welfare of the world—depends to a large extent upon the vision and the courage of those who represent our people in this Congress of the United States. In the days that lie ahead, there will be many great issues to test our vision and our courage—and I have a deep and stubborn faith that we shall not fail.

And by that token, it is my conviction that the next session of the Congress will see the creation of a Missouri Valley Au-

thority, and similar authorities in other areas, as an integral and indispensable part of our national program for full employment and prosperity.

On November 27, 1944, the President of the United States addressed a communication to the Senate reiterating his recommendations that a Missouri Valley Authority be created. The President stated that the technical differences in the reports submitted to the Congress by the Bureau of Reclamation and the Corps of Engineers relating to the development of the Missouri River have been reconciled.

This so-called joint plan of the two Federal agencies, the President points out, represents merely a beginning in the solution of the problems of the Missouri Valley. It is only a beginning, as the President points out, because there are other important matters not within the scope of the joint report which bear very materially upon the entire region of the Missouri Valley. The President therefore concludes that only a single authority, such as the Tennessee Valley Authority, could and would provide the necessary mechanism for the adjustment of the interests of the States in the Missouri watershed.

In order that there may be no question as to what he believes would be best for the divergent interests of the nine States of the Missouri watershed, the President says:

A single authority, such as the Tennessee Valley Authority, over the entire region would provide an adequate mechanism for the adjustment of the interests of the States and for the planning and development of the entire valley.

Mr. President, I ask that the President's message be printed in the *RECORD* at this point.

THE PRESIDING OFFICER (Mr. HALL in the chair). Without objection, it is so ordered.

The President's message is as follows:

NOVEMBER 27, 1944.

THE PRESIDENT OF THE SENATE.

SIR: On September 21, 1944, I sent a message to the Congress recommending the creation of a Missouri Valley Authority that would be charged with the duty of preparing and carrying out a single coordinated plan for the development of the Missouri River Basin for the greatest benefit of its citizens, both present and future, and for the greatest benefit to the United States. At that time there was under consideration by the Congress two reports, the one presented by the Corps of Engineers, the other by the Bureau of Reclamation, which, while presenting comprehensive plans for the development of the Missouri River, were in conflict in many details. The two Bureaus have reconciled the technical differences in these two reports and have prepared a joint recommendation which, in conjunction with the two reports, constitutes a basic plan for the development and control of the waters of the Missouri River.

This joint plan represents a beginning in the solution of the problems of the Missouri Valley. But it is only a beginning, for other important matters not within the scope of this joint report bear very materially upon the entire region. As a practical matter, most of these cannot be dealt with by conference and agreement among the States directly involved working with separate Federal agencies, for the delay in getting action would be too great to bring about the objec-

tives important to the economy of the entire region. A single authority, such as the Tennessee Valley Authority, over the entire region would provide an adequate mechanism for the adjustment of the interests of the States and for the planning and development of the entire valley.

I am transmitting herewith a copy of that report of reconciliation, together with accompanying papers. I now recommend that the plans of the two Bureaus, published in House Document No. 475, Seventy-eighth Congress, and Senate Document No. 191, Seventy-eighth Congress, as modified in accordance with recommendations of this joint report, be authorized as a basic engineering plan to be developed and administered by a Missouri Valley Authority, such as I have already recommended in my message of September 21.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. MURRAY. Mr. President, in recommending the authorization by the Congress of the plans of the two bureaus, President Roosevelt makes it clear that they are to constitute "a basic engineering plan to be developed and administered by a Missouri Valley Authority."

When the T. V. A. was created 11 years ago, it was in a true sense a return to the spirit and vision of the pioneer. It was not intended to benefit the Tennessee Valley region alone. One of the compelling reasons for setting up the T. V. A. was that the country and the Congress of the United States were fed up with pork-barrel projects, such as dishing out millions of the taxpayers' money to dredge Podunk Creek, which solved no problem and was merely designed to benefit some company that got the contract and which, more often than not, proved to be unproductive of any public benefit. Enlightened citizens and legislators were disappointed by this unbusinesslike approach to a serious problem.

Businessmen and scientists are familiar with the term "pilot plant." Well, T. V. A. was designed to throw the light of actual experience—not just talk of theorizing, but actual experience—on the development of resources by a new method and a new principle. Eleven years ago, in setting up the T. V. A., Congress created a pilot plant designed to show the way river valleys could be most successfully developed for the benefit of all the people and not merely to satisfy the greedy appetites of the few.

The T. V. A., in other words, while developing the Tennessee Valley was designed to be a fact-finding undertaking which might guide us in developing similar valleys throughout the Nation.

Of course, I concede that valleys differ. In the Tennessee Valley there is ample rainfall, while parts of the Missouri Valley suffer from drought and need irrigation. But once a principle of regional development is demonstrated to be sound, it can and should be adapted to any region's particular physical conditions.

Mr. President, I shall later review the accomplishments of the T. V. A., but first, I should like to dwell for a moment on the contribution which this so-called pilot plant has made not alone to the progress and prosperity of the people of

the Tennessee Valley, but to the successful prosecution of the present world struggle in which we are engaged, and to the saving of our Nation and all peace-loving peoples from the two barbarian enemies with which we are now locked in mortal combat.

The blunt fact is that without the electric power which the T. V. A. has been able to squeeze out of the waters of the Tennessee River at an early and critical phase of the war, the fortunes of the United Nations might have been much less promising than they are today. Permit me to read a brief quotation from a war correspondent who recently returned from the battle fronts of the world, dealing with the T. V. A.'s role in helping to shorten the war. In his recent book entitled "They Shall Not Sleep," Leland Stowe said that had it not been for the T. V. A. "American war production would have been reduced and delayed so greatly that the duration of this war would have been prolonged by very many months."

Mr. President, it is not difficult to visualize what this would have meant to the millions of men in the war zones and their relatives at home. I shall not speak of the additional billions of dollars it would have cost the taxpayers. It would have meant thousands upon thousands more of casualties in the ranks of the American and Allied armed forces.

During the critical days of the summer of 1940, the country turned to the T. V. A. for electric power in vast quantities—for the magic power which is the very lifeblood of modern war. By authority of the Congress, the T. V. A. began building 12 major dams at one time—the largest job of construction ever confronting any single organization in the history of this country. And by the time the Japs struck their treacherous blow at Pearl Harbor on December 7, 1941, T. V. A.'s first wartime dam was completed. Other emergency dams followed in rapid succession, under schedules of speed that broke one world record after another.

The construction of airplanes means aluminum and more aluminum. Aluminum is chiefly the product of electric power. The average single heavy bomber represents as much electric power as would be consumed by the average American family over a period 400 years; and there are thousands of such bombers over the Nazi nests in Germany every night. In that fateful June of 1940, while we faced the certain prospects of war, the United States did not have enough electric power to make aluminum for war planes in the vast quantities needed to outstrip the Axis air superiority. Every American should feel proud of this achievement I have described. We should all thank God for the vision and courage of those who fought the enemies of the T. V. A. legislation. The achievements of the T. V. A. in this alone—the production of electric power for the output of aluminum for the aircraft industry—more than justifies all the outlays of the Nation on the creation of the Tennessee Valley Authority.

In these days of global warfare it is important that our lines of communi-

cation be kept in constant operation, that our normal life go on without interruption, and that undue strain be kept away from the construction industry. This means the controlling of floods which periodically ravage our communities. This past spring the Tennessee Valley, too, experienced record-breaking rainfall, but no floods resulted there. There was no interruption of work in the war industries, no lives were lost, no communication lines disrupted, no agricultural production stopped. The same dams of the T. V. A. that protected the people from the swollen rivers simultaneously produced electric power for the munitions plants and the aircraft factories.

But a short distance away the people were not so fortunate. The people in the Missouri Valley experienced a second great flood in 2 years. It spread into the Mississippi River from just above St. Louis down to Cairo, and far beyond. The whole region was dislocated, affecting industry, railroads, farms, schools, and food supplies.

Mr. President, that is why the people of the Missouri Valley and the people of our whole country are so interested in the creation of the M. V. A. at the earliest possible time. It is inconceivable to me that anyone familiar with the achievements of the T. V. A. could possibly oppose our desire to apply to the Missouri Valley the basic principles we have found so successful in solving identical problems in the Tennessee Valley.

Mr. President, it is our duty to ponder carefully the reasons why a single authority should be entrusted with the vital problems of the Missouri River Valley. I am confident that my colleagues in the Senate will wholeheartedly rally to the support of the M. V. A. legislation and help speed the adoption of such a law when they study the record of the T. V. A. I realize that there are many Senators here who know far more than I about the T. V. A.—because of the active part they have taken in supporting and strengthening the Tennessee Valley program. I am confident that at the proper time they will lend their powerful support to the extension of this program to the other great river basins of the country.

Like the work of the T. V. A., the task to be carried out in the Missouri Valley is not new. Since the beginning of our national history the people have from time to time placed upon the Federal Government responsibility for the development of our natural resources. For more than a century it was the Federal Government that shouldered the responsibility of making and keeping rivers navigable.

The same has been true of the controlling of floods. For many years the Federal Government developed and marketed electric power. The farmer has been looking to the Federal Government for soil conservation; mineral research has been a Federal function and has been of immeasurable value to the mining industry. Year in and year out, this Congress has been appropriating millions of dollars—nay, tens of millions of dollars—to maintain a whole depart-

ment dedicated to the task of advising and helping businessmen, whose enterprises are based on the development or handling of the natural resources of the Nation.

Thus most of the specific undertakings assigned to the T. V. A. by the Congress of the United States were long familiar activities of the Federal Government. Nevertheless, the same baseless outcries which we hear today against the M. V. A. were heard in the days when the now successful T. V. A. undertaking was still in the realm of a mere proposal awaiting action by Congress.

What was new about the plan of the T. V. A., and which is also new about the proposed M. V. A., is that for the first time in our history a public body was given a unified responsibility to see that in one particular area the total job was done, that the opportunities of water and soil and forests and men were to be viewed as one problem, accepting the truism that they were indivisible, unified, and interrelated. That is their position in nature; that is the only way they are in the life of men.

That land and forest and water and minerals were interrelated and indivisible was no secret as early as 1933. It was then clear, as it is even clearer today, that what happened to one was bound to affect the fate of the other. It was quite elementary then, as it is now, that the well-being of men and women on the farms depended upon the purchasing power of the men and women who live in the cities.

Is there anyone who would deny the fact that navigation and industry and minerals and farm crops are not separate problems in the life of men? Since the enactment of the T. V. A. legislation the unity of those problems has become more and more apparent. Unfortunately certain people, whether because of ignorance or for some other reasons, seem to desire to obstruct the march of progress. They arbitrarily seek to divide those problems according to the pigeonholes of historical accident and tradition. So we find one bureau taking charge of one problem and handling it without regard for the effects it may have upon a related problem handled by another bureau. One group of officials in Washington busied themselves with making a certain river navigable; another department was concerned with fish in that river, or the wildlife along its shores, or the soil of the valley, or the minerals of the same region, despite the fact that the fate of those very resources was affected by every change occurring in the river and by every use it was put to by men.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. HILL. I have been very much interested in what the Senator has had to say about the Tennessee Valley Authority. As a Member of the House of Representatives at the time when the Tennessee Valley Authority Act was written, as a member of the House Committee on Military Affairs which had jurisdiction over that act, and as one who played a small part in the writing and passage of that act, I think it can well be said that the

Tennessee Valley Authority has surpassed even the highest and fondest hopes and expectations of its authors. I think one reason why it has had such magnificent success and has rendered such great and far-reaching services to the people of the Tennessee Valley, as well as to the people of the entire country, has been that the problems to which the Senator has so well adverted are being handled by the Tennessee Valley Authority as a unit. They are being handled together as one great problem, which they are.

The mistake of the past has been in large measure in endeavoring to separate these problems and to have one agency handle one problem and another agency handle another problem. To obtain the best results, to secure the maximum benefits and services for the people and for the regions affected, the various problems must be handled as the Tennessee Valley Authority has handled them; namely, as a unit.

I wish to take this opportunity again to commend the Senator from Montana for his devotion and for his continued and unfailing efforts to bring before the Congress and before the people of the Nation the need and necessity for the Missouri Valley Authority.

Mr. MURRAY. Mr. President, I thank the Senator for his very illuminating remarks and for the encouragement he gives me.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. AIKEN. I must confess that I have not yet read the Senator's bill through, but I wish he would tell us a little at this time about what the relationship between the Missouri Valley Authority and the State and local governments would be under the provisions of his bill. Is authority to be granted for levying taxes of any kind under the Missouri Valley Authority bill? What are the provisions for the building of new highways and the relocating of other highways? How far could the authority go in establishing parks or even camps or schools or in performing other functions which naturally come under State and local governments? Can the Senator tell us something about that? I assure him that I am very much interested in his proposal.

Mr. MURRAY. The bill, as finally formulated, will contain provisions covering all the matters to which the Senator from Vermont has adverted. All these matters will be handled under this measure in the same manner in which they are handled under the T. V. A. It will contain provisions for a method of compensating the localities wherein it operates for failure to receive taxes on its property. The exact provisions of the bill in that respect I will not undertake to detail at this time, but I may say that when the bill is finally brought up for hearing it will be given thorough study, and all the matters to which the Senator has adverted will be found to have been given recognition in the legislation.

Mr. AIKEN. I am to understand then that the provisions will be roughly sim-

llar to those contained in the Tennessee Valley Authority Act?

Mr. MURRAY. Yes.

Mr. AIKEN. In other words, the Tennessee Valley Authority pays no taxes on its own property, but it does compensate the States by the payment of a percentage of its income or some such method.

Mr. MURRAY. That is correct.

Mr. AIKEN. What has been the experience of the T. V. A., according to the Senator's knowledge, with local and State governments?

Mr. MURRAY. I understand it has the very highest approval and commendation of the local people; and the contribution it is making to the communities is a substantial one, and is increasing. I am sure that the contribution the Missouri Valley Authority will make to the region in which it will operate will also be very great and that it will meet with the entire approval of the people in the area involved.

Mr. AIKEN. Is the Senator satisfied that the recompense to the local and State governments would far exceed any losses which might be incurred?

Mr. MURRAY. Yes. I am inclined to think that it will be much greater than the taxes which might have been collected.

Mr. AIKEN. That will not include the new developments which are bound to follow the development of power and others resources, of course.

Mr. MURRAY. That is correct. In addition, of course, as a result of its activities, it will create a vast amount of new taxable property which will vastly increase the total taxes paid in the area involved. That is a matter which should be remembered, because as a result of this development there will be a tremendous increase in taxable values.

Mr. AIKEN. Will it have the result of lowering production costs and transportation costs and thereby benefiting consumers who may be, perhaps, 2,000 miles away from the actual site of the development?

Mr. MURRAY. That is absolutely true. It will also reduce electric-power charges, and that will result in great savings to the people in the area of the development.

(At this point Mr. MURRAY yielded to Mr. McFARLAND, who asked for the consideration of House bill 3592, and debate ensued, which appears in today's RECORD at the conclusion of Mr. MURRAY's remarks.)

Mr. MURRAY. Mr. President, in resuming my discussion I wish to express my appreciation of the contribution made by the distinguished Senator from Alabama [Mr. HILL] a few moments ago. I realize, as I have said during the course of my remarks, that many Senators are more familiar with the subject and with problems which were solved by T. V. A. than I am. I know that the distinguished Senator from Alabama made a very considerable contribution to the enactment of the T. V. A. legislation, as did the distinguished Senator from Tennessee [Mr. McKELLAR], and the late George W. Norris, of Nebraska, and many other Senators whom I am unable to name because I was not a Member of the

Senate during that period. I desire to thank the Senator from Alabama especially for his very illuminating remarks a few moments ago.

The creation of the Missouri Valley Authority, Mr. President, is one of the major links in translating into reality the supreme plan before our people, which is to make this country the best place on the face of the earth. This is particularly imperative at this stage of our history when such frontiers as were available, for example, after the American Civil War, are no longer present. Then the problem of the returned northern soldier was solved by giving him a homestead on the western frontier. With the possible exception of Alaska, there is no section of the United States where the young man with little or no capital and limited experience can set his roots. Farming today cannot and should not be started without substantial capital, proper equipment, and careful training and experience. Even then, as has been proved during recent depressions, the best and most skillful farmers go bankrupt. There are large areas of the country where the small farmer finds it almost impossible to compete with a giant agricultural enterprise operated on a factory basis, with huge machines and regiments of poorly paid farm hands living in barracks.

Some of the vast power projects, such as those in the Pacific Northwest, will bring irrigation to arid or semiarid regions and thus make possible the creation of a large number of new small farms suitable for rather individualistic types of farming like fruit and dairy enterprises. But even here, the rule that the farmer must have money, experience, and aptitude holds good; and in any case these irrigated areas must be greatly expanded if they are to take care of more than a very small proportion of the returning soldiers. I realize that if the irrigation projects which are contemplated by the measure now before the Senate are completed they will provide for a very substantial program of settlement by returned soldiers when this war is over; but agriculture is not the only answer to the veterans' employment problem. At the same time the pledges made by the President to our people must be redeemed. The benefits which could come to the people of the Missouri Valley as a result of the application to that region of the principles we have found so effective in the Tennessee Valley constitute a part of our pledge to the people. It would help open up new opportunities, new frontiers to the people of the valley and to many thousands more outside the valley.

The M. V. A. idea has been branded by its enemies as idealistic, as authoritarian, as a number of other unpleasant things. Fortunately, we now know too much about how a valley authority works to accept such charges when they have practical answers. From the experiences of and the lessons taught by the history of the Tennessee Valley Authority, and from the way it operates, we know the M. V. A. idea is a sound business proposition, that it is more economical than other methods of regional development,

that it is the only way to bring unity for the good of all to a region that is now divided over special interests. Above all, we know that it is the most democratic way and the most efficient way of doing a job that has got to be done in the Missouri Basin.

T. V. A. moves highly trained crews, highly specialized equipment such as concrete pourers, hammerhead cranes, and the like, and highly specialized housing for construction workers from job to job. Other agencies, Army engineers, and Reclamation Bureau do most of their work through contract or by force account. Obviously, the T. V. A. method is the soundest business method from the standpoint of construction. It is believed that the Sloan estimate of \$1,350,000,000 for the combined plan of Bureau and engineers could be cut to not more than \$1,100,000,000 by eliminating unnecessary dams and by the T. V. A. method of construction.

SOUND BUSINESS PROPOSITION

The idea, in T. V. A., as in an M. V. A., is to apply the corporation principle, as developed by private enterprise, to fields of development which are traditionally those of the Federal Government. The administrative problems resulting from trying to develop the Missouri Basin by half a dozen different Government agencies would create an appalling situation. To do a job similar to that done in the Tennessee Valley it would take the best work of these agencies, to name a few: Reclamation Bureau, Army Engineers, Bureau of Mines, Department of Agriculture, and United States Geological Survey, Office of Indian Affairs, Rural Electrification Administration, Federal Power Commission. How can they be coordinated? Is it good business to continue that kind of scrambled, wasteful, piecemeal approach to a big job when there is on hand a businesslike administrative method of doing it—a method that has been tried and found wondrously successful in the Tennessee Valley? Which is likely to cost the taxpayers of the whole country more? The answer is simple. The answer is practical. M. V. A. is good business.

UNITY

The Missouri Valley is now divided by subregional conflicts. They have flared here in the Senate several times in the past few days. Irrigationists and the organizations they work with and through are fighting navigationists and the organizations they work with and through. Each thinks its side is right. Under the combined plan of the Bureau and the engineers, as the President in his message has indicated those fights will go on. Under what circumstances will either side yield? Is it not the clear duty of Congress to spend the money of all the taxpayers for the maximum benefit of all interests—flood control, irrigation, power, and navigation, with emphasis on the first two because they are the most essential and most pressing?

Is it not the clear duty of Congress to set up an agency that will arbitrate all the petty disputes now disuniting the

Missouri Basin, without fighting for favoritism for any one interest?

DEMOCRATIC

Those who oppose M. V. A. say, without basis, that it would have too much power. We know from the charter of T. V. A., and from the way it operates, that this is not true. T. V. A. has no power to coerce or compel any of the people in the Tennessee Valley to do anything—except for its power to condemn land, which private utilities also have. M. V. A. would get the same mandate from Congress that T. V. A. got—to work with and for and through existing county, municipal, and State agencies in the valley to accomplish its work. We know from the Tennessee region how popular and how democratic that method is.

Development of the Missouri region through an M. V. A. can work miracles in bettering the lives of the people who live there; raising their standard of living. It can do so because the very aim and object of a valley authority is to make new opportunities for private enterprise. With less expensive power it invites industry. With less expensive transportation it invites industry. It can bring about new security for owners of drought-stricken lands, for stockmen who are dependent on those lands for auxiliary feed as well as pasturage. It can bring about new security for owners of gullied and eroded land; of land invaded each year by flood; of land that must be used curatively, with the right fertilizers and terracing and contour plowing and the planting of root crops. It can create cheaper power for the development of mines in Colorado, Wyoming, Montana. It can open up a great new market, not just for the necessities of life, but for electrical appliances, automobiles, luxury items of all kinds.

These things are the essence of democracy, because they contribute to the stability of living standards, to the stability of private enterprise. No group of agencies with their interests divided by law as well as by tradition, can hope to bring about similar development of all the region's resources for the greatest good of the greatest number of people.

What the people of the Missouri Valley do in the coming years in using the tools of modern up-to-date organization in developing the natural resources of their valley will largely determine the future growth of business, industry, and agriculture in that entire area.

The people of the valley want modern methods and modern systems for the development of their resources and not those of the ox-cart era. A Missouri Valley Authority is the only answer to their prayer, and it is up to us here in the Congress of the United States to give it to them.

I cannot conclude my remarks today without expressing my appreciation of the splendid work of the Nation's press in bringing this issue before the American people. The press has been uniformly fair in presenting the issues involved, and is performing a valuable service to the entire Nation.

In particular, I call attention to the high quality of the editorials and special articles which have appeared in the St.

Louis Post-Dispatch and the St. Louis Star-Times dealing with the subject. These two papers have pioneered in bringing to the attention of the people in the Missouri Valley the need of a comprehensive plan for the development of the Missouri River Basin under a Missouri Valley authority similar to the Tennessee Valley Authority.

Mr. President, I ask unanimous consent that an article appearing in the last issue of *Colliers'* entitled "One More River To Boss" be printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. DOWNEY in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the *RECORD*, as follows:

ONE MORE RIVER TO BOSS

(By Kyle Crichton)

The Missouri is the mad elephant of rivers. Once a year and sometimes oftener it comes charging out of the mountains of Montana through the fertile Middle West in a roaring, insane torrent that overwhelms farms, railroads, town, and humans. Homeless families sleep in schoolhouses and churches until the water subsides and they can return to look at the ruin of their lives. Some manage to start over again; others surrender in the face of a disaster that seems to delight in repeating itself. The two floods of 1943 did damage estimated at \$63,000,000.

Army engineers perform prodigies in a technical battle they can never win. They widen channels, build jetties, construct dikes. But when the inevitable floods come, the massive jetties are crushed, the fertile lands along the riverbanks are denuded to fill the channels with silt and little towns bury their dead with the silent fatalism of habit.

In the upper reaches of the river, United States reclamation engineers struggle with the problem of getting water for irrigation on arid acres to be used for settlement of returning servicemen and demobilized industrial war workers. In Montana and the Dakotas, water means the life of the country. But from Sioux City to the mouth of the Missouri, Army engineers and interested citizens think of flood control and navigation. Because of this conflict of interests between those who want the water and those who dread it, the Missouri makes mock of the best intentions. It just keeps rolling along—often as a murderous force of nature.

The Missouri is a valley of a half billion acres, comprising one-sixth of the area of the United States and taking in a territory the size of Germany, France, and Italy combined. It is populated by 11,500,000 people along a river course of 2,469 miles. It starts at Three Forks, Mont., northwest of Yellowstone National Park, where three mountain streams, the Jefferson, the Madison, and the Gallatin, unite. From there it flows north through the mountains, then east across the Great Plains into North Dakota, then south and southeast until it joins the Mississippi 17 miles north of St. Louis. Its watershed embraces Wyoming, Montana, North Dakota, South Dakota, Nebraska, Colorado, Iowa, Minnesota, Kansas, and Missouri—one of the largest river valleys in the world.

It directly serves great cities like St. Louis, Kansas City, and Omaha. Along its banks lie three State capitals—Bismarck, Pierre, and Jefferson City. It taps the copper deposits of Montana and the great Corn Belt of the Middle West. It floods the lower valley and starves the upper valley, the Dust Bowls of the Dakotas. Its tributaries include the Milk, Yellowstone, Little Missouri, Platte, Kansas (Kaw), James (in the Dakotas), Big

Sioux, Grand (north Missouri), Osage, Republican, Big Horn, and Gasconade.

SPECTACULAR FAILURES IN FLOOD CONTROL

Its swift tributaries in the mountains of the north are capable of producing power; the fertile valleys of the middle and lower river need only protection from floods to be among the great producing areas of the world. It is a great river and a wild river. Elaborate man-made attempts to tame the monster have all ended in spectacular failure. The efforts of the engineers have been no more successful than the incantations of the weathermen. But it required the two serious floods of 1943 to bring matters to a head. Plainly, enough was enough, and something had to be done.

The first savior who came galloping forth with a plan was Col. Lewis A. Pick, Army engineer in charge of the Missouri River division at Omaha. In 3 months' time Pick produced a report based on 50 years of surveys in the Missouri Basin. It called for a system of 12 dams on the Missouri and its tributaries and levees from Sioux City to its mouth, at a total cost of \$490,000,000.

The United States Reclamation Bureau now perked up. For 5 years it had been working on a survey of the Missouri, and now it had the survey ready. Perhaps the hullabaloo of the Army engineers stimulated the reclamation people; anyhow, they submitted a plan to spend \$1,257,654,700 for dams, reservoirs, power plants, and irrigation works.

Although the Pick plan was criticized as being far from adequate even for flood control, the real storm of objection came over an obscure passage in it, discovered by Governors Moses of North Dakota, Ford of Montana, and Hunt of Wyoming. This passage related to a proposal to deepen the navigation channel of the Missouri from Sioux City to its mouth, from the present 6-foot channel to a standard depth of 9 feet. It observed, rather innocently, that the engineers thought they would need a specified amount of the flow of the river for navigation purposes.

The embattled governors found, to their consternation, that the amount mentioned was practically all the average flow for each of the past 10 years. They raised the roof and promptly presented, in self-defense and retaliation, an amendment sponsored by Senator JOSEPH C. O'MAHONEY, of Wyoming, which would reserve to the upper valley States control of all waters originating within their boundaries.

The Bureau of Reclamation maintained that the amendment merely gave all States a chance to be heard before a project was authorized. The Army engineers stated flatly that under the amendment any project would be ineffective if objected to by any affected State. They insisted that the amendment would give the States power of veto over legislation enacted by Congress and approved by the President. The amendment was defeated in committee but will undoubtedly be brought up again.

This really threw the fat in the fire, and the resulting uproar was deafening. The Army engineers hastily averred that there was plenty of water in the Missouri for both irrigation and navigation. The reclamationists objected that if this were true, why had the Army been in such a rush to get priority on water for navigation?

The Army engineers declared that if there were ever a conflict between irrigation and navigation, they wouldn't dream of standing in the way of irrigation. The reclamationists said that was fine and would the Army engineers put it in writing? The Army huffed up at this and asked if their word couldn't be trusted. The reclamationists thereupon decided to mistrust them more than ever.

It was at this juncture that the St. Louis Post-Dispatch stepped in and said, "Hold! Enough!" The way this was going it could only end in civil war and, in the meantime,

the Missouri would be playfully washing away half the Middle West. What the Post-Dispatch asked was if anybody had ever heard of the T. V. A. They said forthrightly and with no quibbling that the Tennessee Valley Authority was one of the greatest things that had ever happened in America, and all anybody had to do to prove it was to go down and talk with the people in Tennessee.

Now, therefore, let it be resolved, said the Post-Dispatch, to stop all this nonsense about upper river and lower river and talk in terms of the Missouri Valley. What we need, it added, is an M. V. A., and the sooner the better.

AN INVITATION TO SOUND OFF

It addressed a letter to the editors of the Missouri Valley asking for their opinions, criticisms, and cooperation. It put one of its crack reporters, Sam J. Shelton, on the story and told him to stay there until the M. V. A. became a reality.

If the Post-Dispatch wanted criticism, it now received it in showers. The Kansas City Star said very promptly that it wanted no part of a project that would irrigate 4,000,000 additional acres to afford competition for Kansas and Missouri farmers.

The Montana Standard, of Butte, E. G. Leipheimer, editor, wrote: "We are praying for an end to bureaucratic dictatorship and regimentation. We want to have a hand in our own development. We can hardly imagine a board sitting in perpetuity to control our economic destiny. We fear that such a board may be responsive entirely to demands of the lower States because of their large populations, powerful in politics, while we wither and die, neglected. We point out that there are substitutes for water navigation in the valley but no substitute for water in the soil."

The Omaha World-Herald looked with horror on the suggestion, referring to it as a "colossus which would be operated completely by the bureaucracy." Governors Hickenlooper, of Iowa, Sharpe, of South Dakota, and Vivian, of Colorado also harped on the dictatorship theme, with Governor Vivian adding that anything done in the valley should be handled by private interests.

The Post-Dispatch answered the Kansas City Star by saying that it was the shortsightedness of sectional interests that had brought the valley to its present plight. It said further that the States' rights people were talking through their hats. How could they object to M. V. A. when both the Reclamation Bureau and the Army engineers were Federal agencies operated out of Washington?

In truth, it continued, the greatest triumph of T. V. A. has been that it operates entirely in the Tennessee Valley and with no interference from Washington. There is the closest cooperation between T. V. A. and the people it serves. When Senator McKellar sought to have the hiring of T. V. A. employees brought under the control of Congress, the outcry from the Tennessee Valley was so great that the measure was defeated.

Before the Post-Dispatch had proposed the M. V. A. plan, its Mr. Sam Shelton had pointed out that there were only four points of serious physical conflict between the Pick plan, sponsored by the Army engineers, and the Bureau of Reclamation plan, to wit:

1. At Fort Peck Dam and Reservoir in North Dakota, completed by the Army engineers in 1939 and now operated for navigation, flood control, and power, the Bureau of Reclamation plan proposed to draw heavily on the storage capacity of 19,400,000 acre-feet of water to irrigate additional arid farming land. (An acre-foot of water is a unit of volume which covers a level acre to a depth of 1 foot.) The Army engineers object to use of this stored water for irrigation before equivalent storage capacity in aid of navigation and flood control is made available farther down the main stem of the Missouri.

2. The Bureau of Reclamation's proposal to eliminate the Pick plan's recommended Garrison Dam in North Dakota (17,000,000 acre-feet capacity) is objected to by the Army engineers because this would cause a reduction of 10,000,000 acre-feet in flood control in the main river. The Army engineers assert the resulting flood protection would be inadequate.

3. A proposal of the Bureau of Reclamation to irrigate 1,000,000 acres in the Souris Basin in North Dakota, near the Canadian border, with water diverted from the Missouri below Fort Peck, is objected to by Army engineers.

4. The proposed 9-foot channel is a major point of disagreement with all who seek a comprehensive plan for over-all development of the Missouri River Basin.

Both the Army engineers and the Reclamation people have agreed that reconciliation of the plans could be worked out in a practical way, but the prospects of collaboration seem less promising when Congress is reached.

In the House the various phases of river-basin development are handled by three committees: Flood Control, Rivers and Harbors, and Irrigation and Reclamation. In the Senate the Commerce Committee handles both flood control and navigation matters, but there is a separate committee on irrigation and reclamation. The Bureau of Reclamation is under the Secretary of the Interior, and the Army engineers are under the Secretary of War.

This was confusing enough without the complication of the O'Mahoney amendment which enjoyed the sponsorship of 21 other Senators and flew in the face of the United States Supreme Court decision in the New River case in 1940, which gave Congress widely extended rights over the navigable streams of the country.

FOLLOWING THE T. V. A. PATTERN

On August 18 of this year the problem was placed on a new level by Senator JAMES E. MURRAY, of Montana, who introduced a bill in the Senate to create a Missouri Valley Authority. It followed closely the original T. V. A. bill, but offered additions that had been worked out during the 11-year life of the Tennessee project. What gave special tone to Senator MURRAY's words, however, was the viewpoint from which he surveyed the problem.

"Mr. President," he said, "it is clear that the job to be done is tremendous. It challenges the imagination. It throws down the gauntlet to our engineering skill, our scientific knowledge, and our know how as to methods and management. * * * It is a job for modern pioneering on a grand scale in the national interest."

The introduction of the Murray bill has been followed by a similar measure offered by Senator GUY M. GILLETTE, of Iowa. On September 21, of this year, President Roosevelt sent a message to Congress advocating M. V. A. and asking for consideration of other projects on the Arkansas and Columbia Rivers. This has taken the Missouri Valley problem out of the discussion stage into the realm of action.

As a post-war plan for providing jobs and stimulating industry, nothing else comes even close. What has been done in the Tennessee Valley will pale before the achievements in the Missouri if the project is started and carried through. The Tennessee is 652 miles long, the Missouri is 2,469 miles. The area of the Tennessee basin is 41,000 square miles, the Missouri basin has an area of 529,000 square miles, nearly 13 times as large.

M. V. A. has not, of course, been authorized and no engineering construction has been ventured, but one may get an idea of the magnitude of the possible plan by studying the suggestion made in the Pick plan and the larger plan of the Bureau of Reclama-

tion. The Pick plan proposes 12 new Missouri Valley flood-control reservoirs, 5 on the main stem of the river, 5 on tributaries of the Republican River in Nebraska and Kansas, and 2 in the Yellowstone basin. These are in addition to 10 already authorized by Congress but not constructed because of the war emergency. Six of those authorized are in Missouri.

MORE FLOOD-CONTROL STORAGE

The 5 new reservoirs proposed for the main stem of the river in North and South Dakota would have aggregate storage capacity of 35,200,000 acre-feet of water. The 2 in the Yellowstone Basin would store 5,750,000 acre-feet. These projects, together with the existing Fort Peck (Mont.) Reservoir's 19,400,000 acre-feet, would provide flood-control storage above Sioux City, Iowa, of more than 60,000,000 acre-feet.

The very regimentation that the objectors fear may, say the proponents of the plan, be a means of saving one of our most fruitful regions. The Tennessee Valley authorities have worked hand in glove with the farmers.

The Bureau of Reclamation's plan would store 35,446,000 acre-feet in the upper main stream and the upper tributaries. This plan, however, includes many other irrigation reservoirs, with aggregate capacity of 45,700,000 acre-feet. Even the most prosaic individual must be stirred by the magnitude of such an undertaking. The national importance of M. V. A. is obvious. In a section where soil erosion, silted river beds and lowered water levels have threatened the very life of the land, the harnessing of the Missouri (known as the Big Muddy) will be an achievement of incalculable value.

A picture of what may be the future for the Missouri Valley may be suggested by what Benton J. Stong, editor of the National Union Farmer, has to report on the T. V. A. "I saw the enormous success of T. V. A. in an alfalfa patch," he writes. "When I knew it 9 years ago, it had been a 'shotgun cornfield'—so steep that, according to local legend, the farmer planted it by shooting seed into the field from the opposite hillside. Then it had been one of those deeply gullied wastelands, thick with underbrush and tiny streams that carried away the little remaining soil. But when I saw the field this month, it was covered with a green blanket of alfalfa and blue grass, its deep scars wiped away and replaced with terraces. It was part of the 55-acre hillside farm of Henry Clark, which has been restored by T. V. A. phosphate and lime.

"Ten years ago Henry Clark scratched his hillside with a little black mare and a sled and got little more than \$200 cash income. Last year he cultivated it with a tractor, a mowing machine, grain drill and other modern equipment and took in \$4,600 from hay, dairy products, tomatoes, tobacco, and poultry. Ten years ago, Henry Clark's home was a cabin. Today it is a fine farmhouse with electricity, electric range, electric washing machine, refrigerator, and lights.

"T. V. A. is not a power project. It is not an agricultural project. It is an integrated development of all the resources of an area, integrated so that water is harnessed, the lands are restored, the minerals are developed, and men live a better life. It is a pattern that may be developed all over America."

The floods in the Missouri have obscured the even greater losses from lack of water in the upper valley States. The great jumpy exodus from the Great Plains during the drought decade saw 350,000 persons leave their homes in the distressed region. The amounts unpaid on December 31, 1942, on grants and work relief from the federal government reached a total of \$1,246,557,087. This approximates the estimated cost of the Bureau of Reclamation plan. It is estimated that 150,000 men could be employed, in the

immediate post-war period, on construction sites under the Bureau of Reclamation project and an even greater number employed in factories to furnish materials for the dams, canals, and jetties.

The Tennessee Valley is now a show window for what electrification can do. Every farm is electrically lighted and possesses the electric devices that make life more pleasant and efficient. Here is the contrasting situation in the Missouri Valley States:

Rural farm dwellings

	With electric light	With mechanical refrigeration	With running water	With installed bathtub or shower
United States..	Percent 31.3	Percent 14.9	Percent 17.8	Percent 11.8
Montana.....	27.8	12.7	14.7	9.0
Wyoming.....	31.0	13.2	16.1	10.3
Colorado.....	34.6	14.9	21.3	12.4
North Dakota.....	15.5	2.3	6.0	4.7
South Dakota.....	17.9	4.8	11.8	3.2
Nebraska.....	28.5	12.2	22.3	14.0
Kansas.....	27.3	17.1	15.7	11.5
Iowa.....	39.5	16.3	21.5	15.4
Missouri.....	15.9	8.5	6.3	4.7

This suggests eloquently the opportunity for an improved future in the Missouri Valley if that future is worked out with determination.

Dr. John L. Coulter, former member of the Federal Tariff Commission, of Washington, D. C., stated in June of this year before a Senate committee, that America, with its population increasing at the rate of a million people a year, will have to increase its acreage if we are to maintain present standards of living.

"We are at a point now where we are importing more products of agriculture than we are exporting," he said.

This being so, the M. V. A. or some alternative plan for bringing more land into cultivation in the Missouri Valley becomes a national imperative. A survey made this spring in North Dakota determined that of some 6,300 young men from that State in the armed services, more than 5,500 desire to be farmers after the war. The survey showed that only 675 now have farms, and therefore, for that group alone, about 4,850 farms are needed.

Therefore, we need farms, we need flood control, we have the men at hand for farming. Everybody acknowledges that the problem of the Missouri must be tackled, but it is over M. V. A. that the big slugfest will come.

There arises the question of who will pay for M. V. A. Under current proposals, the financing will come from the Federal Government, but there would be profits on power and assessments on benefits to lands and city properties. The Edison Electric Institute, representing private power interests, maintains that the ultimate cost of T. V. A. will be \$1,000,000,000, or five times as much as estimated for the original program, and is expected to pay for itself in 60 years but without interest. David E. Lillenthal, director of the Tennessee Valley Authority, estimates that T. V. A. will cost \$700,000,000 and will be paid off in 30 years.

In the case of the much larger Missouri Valley plan, power will be a minor consideration and could not possibly pay the total cost of the project. But supporters of the M. V. A. argue that, in the public interest, the Missouri has to be tamed; that the Nation will receive great benefits from anything that brings greater productivity to the Missouri Valley, prevents flood damage and saves land under cultivation.

Although electric power is only one phase of M. V. A. (with an estimated 1,000,000 to 3,000,000 kilowatts possible), it is quite possible that some defenders of private enterprise will swing their shilleaghs. M. V. A. is a great challenge, the sort of battle that stirs the pioneer instincts still in the breasts of most Americans. Its supporters do not deny that it will also be a giant stepping on many toes and that outcries must be expected. A great deal will depend on the legislators guiding the bill through Congress. There will be no George W. Norris to lead the fight, as there was in the case of the T. V. A. Great interests will be lined up on each side, and mighty blows will be struck.

DISPARITY BETWEEN COMMITTEES

The people who feel that it might be wiser to work out a plan between the Army engineers and the Bureau of Reclamation have found that in Congress it has been impossible to get the separate committees to sit down together to discuss an over-all solution. The interests of the two Government agencies are entirely disparate. Reclamation people have been taught to think in terms of land; Army engineers are concerned with watercourses. M. V. A. advocates believe it is impossible that the two could ever work in harmony.

One big plan is needed, and time will tell whether it will come through M. V. A. or another agency of like character.

It's going to be a tough fight, but the Missouri has been kicking its region around for hundreds of years, and it either has to be stopped soon or it will run out of competition. Americans always like a challenge of that kind.

The M. V. A. is going to be something to watch and wonder over when it gets going.

PREVENTION OF DOUBLE TAXATION ON INCOMES

During the course of Mr. MURRAY's speech the following occurred:

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. McFARLAND. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 3592, Calendar No. 1056.

Mr. WHERRY. Mr. President, reserving the right to object, I ask that the Senator from Arizona make a statement with regard to the nature of the bill.

Mr. McFARLAND. The bill would prevent double taxation. Under the present law some Federal employees who are working in the District of Columbia, as well as many who are employed in some of the States, are being taxed in two different jurisdictions. The bill would permit them to be taxed only in the State of their domicile.

Mr. MAYBANK. Would the bill in any way change the present system of collection of income taxes from South Carolinians who might be residents of the District of Columbia?

Mr. McFARLAND. No; it would permit the collection of taxes from residents of the State of South Carolina, but would prohibit them from being taxed by some other State or the District of Columbia.

Mr. MAYBANK. In other words, the bill would not in any way make it possible for those who are now domiciled in the District of Columbia and paying income taxes to change their domicile to some jurisdiction under which they could pay a lower income tax.

Mr. McFARLAND. No; they would have to maintain a genuine domicile in the State in which they paid the taxes.

Mr. MAYBANK. Would they have to own any real estate or property within such State?

Mr. McFARLAND. I do not think in any State the ownership of real estate or other property is necessary in order to make a citizen subject to income taxation.

Mr. MAYBANK. I agree with the statement of the Senator. Would there be any limit on the time in which taxpayers could change their domicile?

Mr. McFARLAND. The Senator from Virginia [Mr. BYRD] has some amendments which he would like to offer. I believe the amendments might clarify the matter. If there is no objection to proceeding to the consideration of the bill I believe the Senator from Virginia will offer his amendments.

Mr. MAYBANK. Mr. President, I will withhold any further questions which I may have until the distinguished Senator from Virginia [Mr. BYRD] has offered his amendments. I understand that some of our State tax officials have discussed with Virginia State tax officials the possibility of a number of high-salaried Government officials, as well as others, being relieved from the payment of taxes for this year by the enactment of some law.

Mr. WHERRY. Mr. President, I still reserve the right to object to proceeding to the consideration of the bill, but if it is the pleasure of the Senator from Arizona to have the Senator from Virginia explain his amendments, I have no objection. However, I reserve the right to object to consideration of the bill after the Senator from Virginia shall have concluded.

Mr. BYRD. Mr. President, the bill for which the Senator from Arizona has requested consideration provides that a Federal employee may choose his State of domicile. If the bill should be passed in its present form it would afford an opportunity to Federal employees to choose a State of domicile which did not require the payment of an income tax, and therefore would permit an evasion of the payment of a tax which such an employee otherwise would be compelled to pay. For example, the bill provides that a Federal employee who has lived in Virginia for 30 years, and has obtained all the benefits of schools and other privileges which the State provides, could choose a domicile in some other State and thereby evade the payment of Virginia income taxes.

If the bill is taken up I propose to offer an amendment providing that the date when the provisions of the bill shall become effective shall be December 31, 1944. At the present time the bill has no effective date. Therefore, should the bill become law there would be created a condition of chaos with regard to what part of the calendar year would be subject to tax in one State or another.

I propose to offer another amendment which would provide that in order that a Federal employee may be relieved of the payment of a tax in a State

which may impose such tax, such employee shall be required to furnish a tax receipt proving that he is domiciled in another State which assesses an income tax. If this bill should be taken up, and the amendments to which I have referred should not be adopted considerable discussion would be provoked in the Senate before the bill could reach final enactment. I think the bill in its present form leaves wide open the door for wholesale tax evasion.

Mr. McFARLAND. Mr. President, I told the Senator from Virginia that I would offer no objection to his amendments.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3592) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WHITE. Mr. President, reserving the right to object, let me say that I have no personal objection to the proposed legislation; but there are Senators on this side of the Chamber who have an interest in the bill. I refer particularly to the Senator from Connecticut [Mr. DANAHY]. I do not wish to consent to the bill being taken up until he has reached the floor. He is not now present. If necessary, I shall make the point of no quorum. I do not want to do that because it may result in an unnecessary waste of time.

Mr. McFARLAND. Mr. President, I had understood that the Senator from Connecticut had no objection to the bill. The bill has been on the calendar for some time. I do not wish unduly to delay the Senator from Montana. I may as well withdraw my request.

Mr. WHITE. Mr. President, if the Senator will wait for 2 or 3 minutes I believe the Senator from Connecticut will be present and then he can speak for himself. I do not know whether he is hostile to the bill or whether, with the amendments suggested by the Senator from Virginia, he would support the bill. However, there will be a possible opportunity of disposing of the bill as soon as the Senator from Connecticut reaches the floor.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. McFARLAND. If I have the floor I will yield, but I do not wish unduly to delay the Senator from Montana.

Mr. MAYBANK. Mr. President, I hope that before any action is taken on the bill we will have a quorum call and then have the amendments agreed to. I can very well see that many Federal employees could take advantage of the provisions contained in the bill unless the amendments of the Senator from Virginia were agreed to.

Mr. McFARLAND. Does the Senator object to taking up the bill at this time?

Mr. HILL. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HILL. I wonder if I might suggest to the distinguished Senator that very likely he will expedite the passage of his bill if he will withdraw it at this time and then when the Senator from Connecticut comes in renew his request.

Mr. McFARLAND. I would rather have the RECORD show that there is objection, because I have received volumes of mail in regard to this bill, which I thought was noncontroversial with the amendments of the Senator from Virginia adopted. I repeat, I would rather an objection be shown. I have no personal interest in the proposed legislation at all, but, if any Senator objects to the bill, I would rather have the RECORD show the objection.

Mr. WHITE. Mr. President, I still think if the Senator would possess himself in patience for a moment or two, until the Senator from Connecticut can be here, the bill might be disposed of; but I am not going to consent to having the bill taken up unless and until the Senator from Connecticut is present.

Mr. MAYBANK. Mr. President, I should like to say to the Senator from Arizona that I deeply appreciate the position in which he finds himself in view of the many requests that the bill be considered, because some employees are paying income taxes in two States, first where they work and then where they live. I have no objection to the bill, provided first the amendments of the Senator from Virginia [Mr. BYRD] are adopted to the effect that one paying income tax today in South Carolina or any other State must continue to pay that State unless he is a citizen of another State and pays the other State. It is not fair for individuals of States to pay and Government employees be allowed to change their residence to States that have no tax and avoid payment. Of course they should not pay in two States.

The PRESIDING OFFICER. The Chair understands objection has been made. The Senator from Montana [Mr. MURRAY] has the floor.

FLOOD-CONTROL PROJECTS

After the conclusion of Mr. MURRAY's remarks the Senate resumed the consideration of the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Mr. LUCAS. Mr. President, I send to the desk a short amendment to the bill now pending before the Senate, and ask that it be read at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 18, following line 19, it is proposed to insert a new paragraph as follows:

The project for flood control on Farm Creek, Ill., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report of November 16, 1944, at an estimated cost of \$3,017,900.

Mr. OVERTON. Mr. President, I may say to the Senator from Illinois that I should be very glad to take the amendment to conference.

Mr. LUCAS. I am happy at the Senator's graciousness, and I thank him for his generosity.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois.

The amendment was agreed to.

Mr. LANGER. Mr. President, it is my understanding that immediately after the convening of the new Congress we will take up the matter of the Missouri Valley Authority. It is my understanding further that such an agreement has been made by all the different agencies involved, and by the responsible leadership of both the majority and minority groups.

I merely wish to say at this time that the people of my State feel under a keen sense of obligation not only to the Senator from Montana [Mr. MURRAY] for having introduced the measure, but also to the distinguished senior Senator from Missouri [Mr. CLARK], who has been most cooperative in the passing of the flood-control bill, as a result of which approximately a million two hundred thousand acres in North Dakota will be irrigated.

At the present time in North Dakota the total amount of irrigation is, roughly, 21,615 acres, compared with Montana, which has 1,711,409 acres. We feel that for the first time the State of North Dakota will, through the passage of the pending measure, get that to which it is entitled. However, we feel that we prefer the enactment of the M. V. A. bill. I have received many hundred telegrams from the State of North Dakota, from both men and women, and from different organizations, in favor of the M. V. A. I have placed none of them in the RECORD up to this time. It is not my intention to do so until after we begin the real consideration of the M. V. A. bill in the coming Congress.

Mr. President, I want this body to know that I believe no one could have better expressed the real purpose of the M. V. A. than did the junior Senator from Montana [Mr. MURRAY] on August 18, and also in his address on the floor of the Senate this morning. I endorse every word he uttered upon each of those occasions.

In order that this body may know exactly what the situation of the Northwest is relative to having light and power upon the farms, I ask unanimous consent to have printed in the RECORD at this point in my remarks pages 6 and 7 of the hearings before the Committee on Agriculture of the House of Representatives on rural electrification. I may add that this shows that today North Dakota is lower than any other State of the Union in the number of farms having electricity for light and power. Roughly, they number 6.9 percent of all the farms of the State.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of rank, percentage, and number of farms electrified with central-station service, 1935, 1940, and 1943, by States and for the United States

Area	Farms, Jan. 1, 1935, ¹ number	Farms receiving central-station electric service Dec. 31, 1934			Farms, Apr. 1, 1940, ¹ number	Farms receiving central-station electric service Apr. 1, 1940			Farms receiving central-station electric service June 30, 1943 ²			Increase in electrified farm from Dec. 31, 1934, to June 30, 1943		
		Number ³	Percent	Rank		Number ¹	Percent	Rank	Number	Percent	Rank	Number	Percent	Rank
United States.....	6,812,350	743,954	10.9	-----	6,096,799	1,853,249	30.4	-----	2,454,100	40.3	-----	1,710,146	229.9	-----
Alabama.....	273,455	11,053	4.0	33	231,746	33,907	14.6	41	56,200	24.2	39	45,147	408.5	15
Arizona.....	18,824	5,577	29.6	12	18,468	5,607	30.4	24	7,600	41.2	25	2,023	36.3	46
Arkansas.....	253,013	2,943	1.2	47	216,674	21,303	9.8	45	35,900	16.6	44	32,957	1,119.8	3
California.....	150,360	81,093	53.9	1	132,658	107,904	81.3	4	115,000	86.7	3	33,907	41.8	45
Colorado.....	63,644	7,145	11.2	25	51,436	14,823	28.8	25	22,900	44.5	24	15,755	220.5	27
Connecticut.....	32,157	10,138	31.5	10	21,163	16,995	80.3	5	18,300	86.5	4	8,162	80.5	39
Delaware.....	10,381	1,791	17.3	20	8,994	3,545	39.4	21	4,900	54.5	20	3,109	173.6	29
Florida.....	72,557	5,700	7.8	26	62,248	15,476	24.9	28	19,600	31.5	32	13,900	243.8	23
Georgia.....	250,544	6,956	2.8	41	216,033	42,409	19.6	33	67,700	31.3	33	60,744	873.3	5
Idaho.....	45,113	13,433	29.8	11	43,663	25,439	58.3	13	32,400	74.2	13	18,967	141.2	35
Illinois.....	231,312	28,379	12.3	23	213,439	80,027	37.5	22	113,000	52.9	21	84,621	298.2	17
Indiana.....	200,835	23,476	11.7	24	184,549	91,127	49.4	17	125,600	68.0	14	102,124	435.0	14
Iowa.....	221,986	32,047	14.4	22	213,318	73,308	34.4	23	108,100	50.7	22	76,053	237.3	24
Kansas.....	174,559	13,224	7.6	28	156,327	27,960	17.9	37	39,100	25.0	36	25,876	195.7	23
Kentucky.....	278,298	8,480	3.0	39	252,894	38,607	15.3	40	57,900	22.9	41	49,420	582.8	10
Louisiana.....	170,216	2,826	1.7	46	150,007	16,058	10.7	44	24,200	16.1	45	21,374	753.3	9
Maine.....	41,907	13,959	33.3	8	38,980	20,221	51.9	15	24,200	62.1	17	10,241	73.4	41
Maryland.....	44,501	6,791	15.3	21	42,175	17,170	40.7	20	24,500	58.1	18	17,709	260.8	21
Massachusetts.....	35,094	14,494	41.3	7	31,897	26,220	82.2	2	26,900	84.3	5	12,406	85.6	37
Michigan.....	196,517	42,152	21.4	17	187,559	131,126	69.9	7	151,000	80.5	7	108,848	258.2	22
Minnesota.....	203,302	13,783	6.8	30	197,351	50,075	25.4	26	76,800	38.9	26	63,017	457.2	12
Mississippi.....	311,683	2,802	.9	48	291,092	26,078	9.0	46	44,300	15.2	46	41,498	1,481.0	1
Missouri.....	278,454	17,893	6.4	31	256,100	39,204	15.3	39	59,800	23.4	40	41,907	234.2	25
Montana.....	50,564	2,768	5.5	32	41,823	7,947	19.0	34	10,300	24.6	37	7,532	272.1	19
Nebraska.....	133,616	9,544	7.1	29	121,062	22,832	18.9	35	31,300	25.8	35	21,756	228.0	26
Nevada.....	3,696	946	25.6	15	3,573	1,655	43.5	19	1,700	47.6	23	754	79.7	40
New Hampshire.....	17,695	9,495	53.7	2	16,554	10,845	65.5	10	13,600	82.2	6	4,105	43.2	44
New Jersey.....	29,375	15,162	51.6	4	25,835	21,298	82.4	1	22,500	87.1	2	7,338	48.4	43
New Mexico.....	41,369	1,360	3.3	37	34,105	4,479	13.1	42	6,400	18.8	42	5,050	374.1	16
New York.....	177,025	57,825	32.7	9	153,238	102,283	66.7	9	114,900	75.0	11	57,075	98.7	36
North Carolina.....	300,967	9,672	3.2	38	278,276	67,627	24.3	29	94,100	33.8	29	84,428	872.9	6
North Dakota.....	84,606	1,968	2.3	43	73,962	3,218	4.4	48	5,100	6.9	48	3,132	159.1	32
Ohio.....	255,146	48,048	18.8	19	233,783	137,680	58.9	11	174,000	74.4	12	125,952	262.1	20
Oklahoma.....	213,325	5,648	2.6	42	179,687	20,149	11.2	43	31,000	17.2	43	25,352	448.9	13
Oregon.....	64,826	17,839	27.5	14	61,829	36,369	58.8	12	46,500	75.2	10	28,661	160.7	31
Pennsylvania.....	191,284	45,182	23.6	16	169,027	94,081	55.7	14	109,800	65.0	15	64,618	143.0	33
Rhode Island.....	4,327	1,975	45.6	6	3,014	2,457	81.5	3	2,800	92.9	1	825	41.8	45
South Carolina.....	165,504	3,796	2.3	44	137,558	27,568	20.0	32	49,100	35.7	27	45,304	1,193.5	2
South Dakota.....	83,303	2,939	3.5	36	72,454	3,981	5.5	47	7,100	9.8	47	4,161	141.6	34
Tennessee.....	273,783	9,727	3.6	34	247,617	38,884	15.7	38	60,600	24.5	38	50,873	523.0	11
Texas.....	501,017	11,466	2.3	45	418,002	79,127	18.9	36	117,900	28.2	34	106,434	923.2	4
Utah.....	30,695	16,130	52.5	3	25,411	17,411	68.5	8	19,300	76.0	9	3,170	19.6	47
Vermont.....	27,061	7,945	29.4	13	23,552	12,213	51.8	16	14,700	62.3	16	6,755	85.0	38
Virginia.....	197,632	14,954	7.6	27	174,885	42,144	24.1	30	56,100	32.1	31	41,146	275.2	18
Washington.....	84,381	40,060	47.5	5	81,686	58,263	71.4	6	65,400	80.1	8	25,340	63.2	42
West Virginia.....	104,747	3,647	3.5	35	99,282	25,199	25.4	27	32,200	32.4	30	28,553	782.9	8
Wisconsin.....	199,877	39,206	19.6	18	186,735	87,556	46.9	18	106,700	57.1	19	67,494	172.2	30
Wyoming.....	17,487	527	3.0	40	15,018	3,474	23.1	31	5,100	34.0	28	4,573	867.7	7

¹ U. S. Census Bureau.

² Rural Electrification Administration survey, 1943.

³ Edison Electric Institute.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. OVERTON. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. OVERTON, Mr. BAILEY, Mrs. CARAWAY, Mr. CLARK of Missouri, Mr. BILBO, Mr. JOHNSON of California, Mr. BREWSTER, and Mr. BURTON conferees on the part of the Senate.

Mr. OVERTON. I ask unanimous consent that the clerks be authorized to renumber the sections of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

RIVER AND HARBOR IMPROVEMENTS

Mr. OVERTON. Mr. President, I move that the Senate proceed to the consideration of House bill 3961, the river and harbor bill.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported with amendments.

Mr. AIKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The CHIEF CLERK called the roll, and the following Senators answered to their names:

Aiken	Ellender	Maybank
Austin	Ferguson	Mead
Bailey	George	Millikin
Ball	Gerry	Murray
Bankhead	Gillette	Nye
Bilbo	Green	O'Daniel
Brooks	Gurney	O'Mahoney
Buck	Hall	Overton
Burton	Hatch	Radcliffe
Bushfield	Hawkes	Reed
Butler	Hayden	Revercomb
Byrd	Hill	Reynolds
Capper	Holman	Robertson
Caraway	Jenner	Russell
Chandler	Johnson, Colo.	Shipstead
Clark, Mo.	La Follette	Stewart
Connally	Langer	Taft
Cordon	Lucas	Thomas, Okla.
Danaher	McClellan	Tunnell
Davis	McFarland	Vandenberg
Downey	McKellar	Wagner
Eastland	Maloney	Wallgren

Walsh, Mass.
Walsh, N. J.
Wheeler

Wherry
White
Wiley

Willis

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum is present.

The question is on agreeing to the motion of the Senator from Louisiana [Mr. OVERTON] that the Senate proceed to the consideration of House bill 3961.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. OVERTON. Mr. President, I feel very much encouraged in proceeding to the consideration of the river and harbor bill after the final passage through the Senate of the flood-control bill. That bill presented a number of controversial provisions. Every opportunity was given in the hearings, and also on the floor of the Senate, to discuss the problems which were germane to the bill, and I am very happy that those problems have been satisfactorily resolved and that the bill has now passed the Senate.

26-7-21
21

78TH CONGRESS
2D SESSION

H. R. 4485

IN THE SENATE OF THE UNITED STATES

DECEMBER 4 (legislative day, NOVEMBER 21), 1944

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Authorizing the construction of certain public works on rivers
and harbors for flood control, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 **(1)** *It is the purpose of this Act to establish a definite policy of*
4 *making use of existing Federal agencies for the construction,*
5 *operation, and maintenance of all public improvements pro-*
6 *vided for in this Act in connection with navigation, flood*
7 *control, and allied activities; to insure coordinated operation*
8 *of all Federal projects therein for the improvement of navi-*
9 *gation and alleviation of flood conditions; to provide for*
10 *realization of other benefits to be derived from such projects;*
11 *to facilitate preparations and planning for post-war construc-*

1 tion by the Federal Government in the interest of employ-
2 ment; and to secure efficient executive management under the
3 direction and supervision of the permanent executive agencies
4 already established by Act of Congress.

5 In connection with the exercise of jurisdiction over
6 the rivers of the Nation through the construction of works
7 of improvement, for navigation or flood control, as herein
8 authorized, it is hereby declared to be the policy of the Con-
9 gress to recognize the interests and rights of the States in
10 determining the development of the watersheds within their
11 borders and likewise their interests and rights in water utili-
12 zation and control, as herein authorized to preserve and
13 protect to the fullest possible extent established and potential
14 uses, for all purposes, of the waters of the Nation's rivers;
15 to facilitate the consideration of projects on a basis of compre-
16 hensive and coordinated development; and to limit the author-
17 ization and construction of navigation works to those in which
18 a substantial benefit to navigation will be realized therefrom
19 and which can be operated consistently with appropriate and
20 economic use of the waters of such rivers by other users.

21 In conformity with this policy:

22 (a) Plans, proposals, or reports of the Chief of Engi-
23 neers, War Department, for any works of improvement for
24 navigation or flood control not heretofore or herein author-
25 ized, shall be submitted to the Congress only upon compliance

1 with the provisions of this paragraph (a). Investigations
2 which form the basis of any such plans, proposals, or reports
3 shall be conducted in such a manner as to give to the affected
4 State or States, during the course of the investigations, in-
5 formation developed by the investigations and also oppor-
6 tunity for consultation regarding plans and proposals, and,
7 to the extent deemed practicable by the Chief of Engineers,
8 opportunity to cooperate in the investigations. If such
9 investigations in whole or part are concerned with the use
10 or control of waters arising west of the ninety-seventh merid-
11 ian, the Chief of Engineers shall give to the Secretary of
12 the Interior, during the course of the investigations, informa-
13 tion developed by the investigations and also opportunity for
14 consultation regarding plans and proposals, and to the extent
15 deemed practicable by the Chief of Engineers, opportunity
16 to cooperate in the investigations. The relations of the
17 Chief of Engineers with any State under this paragraph (a)
18 shall be with the Governor of the State or such official or
19 agency of the State as the Governor may designate. The
20 term "affected State or States" shall include those in which
21 the works or any part thereof are proposed to be located;
22 those which in whole or part are both within the drainage
23 basin involved and situated in a State lying wholly or in
24 part west of the ninety-eighth meridian; and such of those
25 which are east of the ninety-eighth meridian as, in the

1 judgment of the Chief of Engineers, will be substantially
2 affected. Such plans, proposals, or reports and related in-
3 vestigations shall be made to the end, among other things,
4 of facilitating the coordination of plans for the construction
5 and operation of the proposed works with other plans involv-
6 ing the waters which would be used or controlled by such
7 proposed works. Each report submitting any such plans
8 or proposals to the Congress shall set out therein, among
9 other things, the relationship between the plans for con-
10 struction and operation of the proposed works and the plans,
11 if any, submitted by the affected States and by the Secretary
12 of the Interior. The Chief of Engineers shall transmit a
13 copy of his proposed report to each affected State, and, in
14 case the plans or proposals covered by the report are con-
15 cerned with the use or control of waters which rise in whole
16 or in part west of the ninety-seventh meridian, to the Secre-
17 tary of the Interior. Within ninety days from the date of
18 receipt of said proposed report, the written views and recom-
19 mendations of each affected State and of the Secretary of the
20 Interior may be submitted to the Chief of Engineers. The
21 Secretary of War shall transmit to the Congress, with such
22 comments and recommendations as he deems appropriate,
23 the proposed report together with the submitted views and
24 recommendations of affected States and of the Secretary
25 of the Interior. The Secretary of War may prepare and

1 make said transmittal any time following said ninety-day
2 period. The letter of transmittal and its attachments shall be
3 printed as a House or Senate document.

4 (b) The use for navigation, in connection with
5 the operation and maintenance of such works herein
6 authorized for construction, of waters arising in States lying
7 wholly or partly west of the ninety-eighth meridian shall be
8 only such use as does not conflict with any beneficial con-
9 sumptive use, present or future, in States lying wholly or
10 partly west of the ninety-eighth meridian, of such waters for
11 domestic, municipal, stock water, irrigation, mining, or
12 industrial purposes.

13 (c) The Secretary of the Interior, in making investi-
14 gations of and reports on works for irrigation and purposes
15 incidental thereto shall, in relation to an affected State or
16 States (as defined in paragraph (a) of this section), and to
17 the Secretary of War, be subject to the same provisions
18 regarding investigations, plans, proposals, and reports as
19 prescribed in paragraph (a) of this section for the Chief of
20 Engineers and the Secretary of War. In the event a sub-
21 mission of views and recommendations, made by an affected
22 State or by the Secretary of War pursuant to said provisions,
23 sets forth objections to the plans or proposals covered by the
24 report of the Secretary of the Interior, the proposed works
25 shall not be deemed authorized except upon approval by an

1 *Act of Congress; and subsection 9 (a) of the Reclamation*
2 *Project Act of 1939 (53 Stat. 1187) and subsection 3 (a)*
3 *of the Act of August 11, 1939 (53 Stat. 1418), as amended,*
4 *are hereby amended accordingly.*

5 **(2)**SEC. 2. That the words "flood control" as used in sec-
6 tion 1 of the Act of June 22, 1936, shall be construed to in-
7 clude channel and major drainage improvements, and that
8 hereafter Federal investigations and improvements of rivers
9 and other waterways for flood control and allied purposes
10 shall be under the jurisdiction of and shall be prosecuted by
11 the War Department under the direction of the Secretary of
12 War and supervision of the Chief of Engineers, and Federal
13 investigations of watersheds and measures for run-off and
14 waterflow retardation and soil-erosion prevention on water-
15 sheds shall be under the jurisdiction of and shall be prosecuted
16 by the Department of Agriculture under the direction of the
17 Secretary of Agriculture, except as otherwise provided by
18 Act of Congress.

19 SEC. **(3)**~~2~~ 3. That section 3 of the Act approved June
20 22, 1936 (Public, Numbered 738, Seventy-fourth Congress),
21 as amended by section 2 of the Act approved June 28, 1938
22 (Public, Numbered 761, Seventy-fifth Congress), shall apply
23 to all works authorized in this Act, except that for any chan-
24 nel improvement or channel rectification project provisions
25 (a), (b), and (c) of section 3 of said Act of June 22, 1936,

1 shall apply thereto, and except as otherwise provided by
2 law: *Provided*, That the authorization for any flood-control
3 project herein adopted requiring local cooperation shall expire
4 five years from the date on which local interests are notified
5 in writing by the War Department of the requirements of
6 local cooperation, unless said interests shall within said time
7 furnish assurances satisfactory to the Secretary of War that
8 the required cooperation will be furnished.

9 SEC. (4) 4. The Chief of Engineers, under the super-
10 vision of the Secretary of War, is authorized to construct,
11 maintain, and operate (5) public park and recreational facili-
12 ties in reservoir areas under the control of the War Depart-
13 ment, and to permit the construction, maintenance, and
14 operation of such facilities. The Secretary of War is author-
15 ized to grant leases of lands, (6) structures, including struc-
16 ture or facilities (7) thereon, in reservoir areas for such
17 periods and upon such terms as he may deem reasonable:
18 *Provided*, (8) That licenses to Federal, State, or local gov-
19 ernmental agencies for the use of areas suitable for public
20 park and recreational purposes may be granted without
21 monetary consideration when the Secretary of War deter-
22 mines such action to be in the public interest. *That prefer-*
23 *ence shall be given to Federal, State, or local governmental*
24 *agencies, and licenses may be granted without monetary*
25 *consideration, to such agencies for the use of areas suitable*

1 for public park and recreational purposes, when the Secre-
2 tary of War determines such action to be in the public
3 interest. The water areas of all such reservoirs shall be
4 open to public use generally without charge for boating,
5 swimming, bathing, fishing, and other recreational pur-
6 poses, and ready access to and exit from such water areas
7 along the shores of such reservoirs shall be maintained for
8 general public use, when such use is determined by the Secre-
9 tary of War not to be contrary to the public interest, all under
10 such rules and regulations as the Secretary of War may deem
11 necessary. No use of any area to which this section applies
12 shall be permitted which is inconsistent with the laws for the
13 protection of fish and game of the State in which such area
14 is situated.

15 **(9)**SEC. 5. Electric power and energy generated at reser-
16 voir projects under the control of the War Department and
17 in the opinion of the Secretary of War not required in the
18 operation of such projects shall be delivered to the Secretary
19 of the Interior, who shall transmit and dispose of such power
20 and energy in such manner as to encourage the most wide-
21 spread use thereof at the lowest possible rates to consumers
22 consistent with sound business principles, the rate schedules
23 to become effective upon confirmation and approval by the
24 Federal Power Commission. Preference in the sale of such
25 power and energy shall be given to public bodies and

1 cooperatives. The Secretary of the Interior is author-
 2 ized to construct and acquire only such transmission lines
 3 and related facilities as may be necessary in order to make
 4 the power and energy generated at said projects available in
 5 wholesale quantities for sale on fair and reasonable terms
 6 and conditions to facilities owned by the Federal Govern-
 7 ment, public bodies, cooperatives, and privately owned
 8 companies.

9 SEC. (10)4 6. That the Secretary of War is author-
 10 ized to (11)sell ~~to~~ make contracts with States, municipali-
 11 ties, private concerns, or individuals, at such prices and on
 12 such terms as he may deem reasonable, for domestic and
 13 industrial uses surplus water that may be available at any
 14 reservoir under the control of the War Department
 15 (12): *Provided, That no contracts for such water shall*
 16 *adversely affect then existing lawful uses of such water. All*
 17 moneys received from such (13)sales contracts shall be de-
 18 posited in the Treasury of the United States as miscellaneous
 19 receipts.

20 SEC. (14)5 7. Hereafter, it shall be the duty of the
 21 Secretary of War to prescribe regulations for the use of
 22 storage (15)available allocated for flood control or naviga-
 23 tion at all reservoirs constructed wholly or in part with
 24 Federal funds provided on the basis of such purposes, and

1 the operation of any such project shall be in accordance
2 with such regulations (16): *Provided, That this section shall*
3 *not apply to the Tennessee Valley Authority, except that in*
4 *case of danger from floods on the Lower Ohio and Missis-*
5 *sippi Rivers the Tennessee Valley Authority is directed to*
6 *regulate the release of water from the Tennessee River into*
7 *the Ohio River in accordance with such instructions as may*
8 *be issued by the War Department.*

9 (17) SEC. 6. Hereafter, whenever in the opinion of the Seere-
10 tary of War and the Chief of Engineers any dam and reservoir
11 project operated under the direction of the Secretary of
12 War can be consistently used for reclamation of arid lands,
13 it shall be the duty of the Secretary of the Interior to pre-
14 scribe regulations under existing reclamation law for the use
15 of the storage available for such purpose, and the operation
16 of any such project shall be in accordance with such regula-
17 tions. Such rates, as the Secretary of the Interior may deem
18 reasonable, shall be charged for the use of said storage; the
19 moneys received to be deposited into the Treasury to the
20 credit of miscellaneous receipts: *Provided, That this section*
21 *shall not apply to any dam or reservoir heretofore constructed*
22 *which supplements any existing locally operated irrigation*
23 *districts.*

24 SEC. 8. Hereafter, whenever the Secretary of War
25 determines, upon recommendation by the Secretary of the

1 *Interior that any dam and reservoir project operated under*
2 *the direction of the Secretary of War may be utilized for*
3 *irrigation purposes, the Secretary of the Interior is authorized*
4 *to construct, operate, and maintain, under the provisions of*
5 *the Federal reclamation laws (Act of June 17, 1902, 32*
6 *Stat. 388, and Acts amendatory thereof or supplementary*
7 *thereto), such additional works in connection therewith as he*
8 *may deem necessary for irrigation purposes. Such irrigation*
9 *works may be undertaken only after a report and findings*
10 *thereon have been made by the Secretary of the Interior*
11 *as provided in said Federal reclamation laws and after sub-*
12 *sequent specific authorization of the Congress by an authori-*
13 *zation Act; and, within the limits of the water users' repay-*
14 *ment ability such report may be predicated on the allocation*
15 *to irrigation of an appropriate portion of the cost of struc-*
16 *tures and facilities used for irrigation and other purposes.*
17 *Dams and reservoirs operated under the direction of the*
18 *Secretary of War may be utilized hereafter for irrigation*
19 *purposes only in conformity with the provisions of this*
20 *section, but the foregoing requirement shall not prejudice law-*
21 *ful uses now existing: Provided, That this section shall not*
22 *apply to any dam or reservoir heretofore constructed in*
23 *whole or in part by the Army engineers, which provides*
24 *conservation storage of water for irrigation purposes.*

25 **(18)** SEC. 9. (a) The general comprehensive plans set

1 *forth in House Document 475 and Senate Document 191,*
2 *Seventy-eighth Congress, second session, as revised and co-*
3 *ordinated by Senate Document 247, Seventy-eighth Congress,*
4 *second session, are hereby approved and the initial stages*
5 *recommended are hereby authorized and shall be prosecuted*
6 *by the War Department and the Department of the Interior*
7 *as speedily as may be consistent with budgetary require-*
8 *ments.*

9 *(b) The general comprehensive plan for flood control*
10 *and other purposes in the Missouri River Basin approved*
11 *by the Act of June 28, 1938, as modified by subsequent Acts,*
12 *is hereby expanded to include the works referred to in para-*
13 *graph (a) to be undertaken by the War Department; and*
14 *said expanded plan shall be prosecuted under the direction*
15 *of the Secretary of War and supervision of the Chief of*
16 *Engineers.*

17 *(c) Subject to the basin-wide findings and recom-*
18 *mendations regarding the benefits, the allocations of costs and*
19 *the repayments by water users, made in said House and*
20 *Senate documents, the reclamation and power developments*
21 *to be undertaken by the Secretary of the Interior under said*
22 *plans shall be governed by the Federal Reclamation Laws*
23 *(Act of June 17, 1902, 32 Stat. 388, and Acts amendatory*
24 *thereof or supplementary thereto), except that irrigation of*

1 *Indian trust and tribal lands, and repayment therefor, shall*
2 *be in accordance with the laws relating to Indian lands.*

3 *(d) In addition to previous authorizations there is*
4 *hereby authorized to be appropriated the sum of \$200,-*
5 *000,000 for the partial accomplishment of the works to be*
6 *undertaken under said expanded plans by the Corps of*
7 *Engineers.*

8 *(e) The sum of \$200,000,000 is hereby authorized to*
9 *be appropriated for the partial accomplishment of the works*
10 *to be undertaken under said plans by the Secretary of the*
11 *Interior.*

12 SEC. (19)7 10. That the following works of improvement
13 for the benefit of navigation and the control of destructive
14 flood waters and other purposes are hereby adopted and au-
15 thorized in the interest of the national security and with a
16 view toward providing an adequate reservoir of useful and
17 worthy public works for the post-war construction program, to
18 be prosecuted under the direction of the Secretary of War and
19 supervision of the Chief of Engineers in accordance with the
20 plans in the respective reports hereinafter designated and
21 subject to the conditions set forth therein: *Provided*, That
22 the necessary plans, specifications, and preliminary work
23 may be prosecuted during the war, with funds from appro-
24 priations heretofore or hereafter made for flood control, so

1 as to be ready for rapid inauguration of a post-war program
 2 of construction: *Provided further*, That when the existing
 3 critical situation with respect to materials, equipment, and
 4 manpower no longer exists, and in any event not later than
 5 immediately following the cessation of hostilities in the
 6 present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent
 7 with budgetary requirements: *And provided further*, That
 8 penstocks and other similar facilities adapted to possible
 9 future use in the development of hydroelectric power shall
 10 be installed in any dam herein authorized when approved
 11 by the Secretary of War on the recommendation of the
 12 Chief of Engineers and the Federal Power Commission.

14 (20) LAKE CHAMPLAIN BASIN

15 *Modifications of the existing Waterbury, Wrightsville,*
 16 *and East Barre Dams in the Winooski River Basin, Ver-*
 17 *mont, are hereby authorized substantially in accordance with*
 18 *the recommendations of the Chief of Engineers in House*
 19 *Document Numbered 629, Seventy-eighth Congress, second*
 20 *session, at an estimated cost of \$2,120,000.*

21 (21) BLACKSTONE RIVER BASIN

22 (22) *The project for the West Hill Reservoir on the West*
 23 *River, Massachusetts, for flood control and other purposes in*
 24 *the Blackstone River Basin is hereby authorized substantially*
 25 *in accordance with the recommendations of the Chief of Engi-*

neers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$1,070,000.

(23) The project on Blackstone River for local flood protection at Worcester, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$2,232,000.

(24) The project on Blackstone River for local flood protection at Woonsocket, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$803,000.

(25) The project on Seekonk River, for local flood protection at Pawtucket, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$82,000.

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved

1 August 18, 1941, for the Connecticut River Basin: *Provided,*
2 (26) That neither this authorization nor previous authoriza-
3 tions shall be construed to authorize the construction of a
4 high dam at the Williamsville site *Nothing in this Act or in*
5 *any previous authorization shall be construed to authorize the*
6 *construction of a dam, other than a flood control type dam,*
7 *on the main stream of the West River in the towns of Dum-*
8 *merston or Newfane in the State of Vermont: Provided*
9 *further, That the Army Engineers are authorized and di-*
10 *rected to construct eight reservoirs in the West River Basin*
11 *in Vermont instead of the flood control reservoir authorized*
12 *by existing law, known as the Williamsville reservoir in the*
13 *above mentioned towns, in accordance with an alternative*
14 *plan submitted by the Vermont State Water Conservation*
15 *Board as the same may be modified by agreement between the*
16 *said Board and the Secretary of War and the Chief of En-*
17 *gineers, provided the total costs of the alternate plan shall not*
18 *exceed the sum of \$11,000,000 and the amount of flood*
19 *control secured by them at the entrance of the waters of the*
20 *West River into the Connecticut River shall not be less than*
21 *seventy-five per centum of the flood control which may be*
22 *secured from the single so-called Williamsville reservoir now*
23 *authorized to be constructed by the Army Engineers. Plans,*
24 *proposals, or reports heretofore authorized for construction*
25 *at Cambridgeport, Ludlow, South Tunbridge, and Gaysville,*

1 *in the Connecticut River Basin, or any modification here-*
 2 *after made of the comprehensive plan for the Connecticut*
 3 *River Basin in Vermont under authority of the Flood Con-*
 4 *trol Act approved June 28, 1938, or of section 3 of the*
 5 *Flood Control Act approved August 18, 1941, shall not be*
 6 *carried out until after compliance with the provisions of*
 7 *paragraph (a) of section 1 of this Act: Provided further,*
 8 *That neither this authorization nor any previous authoriza-*
 9 *tion shall be construed to authorize the construction of a dam*
 10 *or reservoir at the Sugar Hill site on the Ammonoosuc River.*

11 THAMES RIVER BASIN

12 In addition to previous authorizations, there is hereby
 13 authorized the completion of the plan approved in the Act
 14 of August 18, 1941, for the Thames River Basin at an
 15 estimated cost of \$7,200,000.

16 HOUSATONIC RIVER BASIN

17 The project for the Thomaston Reservoir on the Nauga-
 18 tuck River, for flood control in the Housatonic River
 19 Basin, Connecticut, is hereby authorized substantially in
 20 accordance with the recommendations of the Chief of
 21 Engineers in House Document Numbered 338, Seventy-
 22 seventh Congress, first session, at an estimated cost of
 23 \$5,151,000 (27), *when approved pursuant to the provisions*
 24 *of paragraph (a) of section 1 of this Act.*

SUSQUEHANNA RIVER BASIN

1
2 The project authorized by the Act of June 22, 1936,
3 to provide for local protection works on the Susquehanna
4 River at Harrisburg, Pennsylvania, is hereby modified sub-
5 stantially in accordance with the recommendations of the
6 Chief of Engineers in House Document Numbered 702,
7 Seventy-seventh Congress, second session, at an estimated
8 cost of \$2,227,000.

9 The project for flood protection at Tyrone, Pennsyl-
10 vania, on the Little Juniata River, Pennsylvania, is hereby
11 authorized substantially in accordance with the recommenda-
12 tions of the Chief of Engineers in House Document Num-
13 bered 702, Seventy-seventh Congress, second session, at an
14 estimated cost of \$1,392,000.

15 The plan for flood control in southern New York and
16 eastern Pennsylvania authorized by the Act of June 22,
17 1936, as modified by the Act of August 18, 1941, is hereby
18 further modified to include the South Plymouth and Gene-
19 gantslet Reservoirs on tributaries of the Chenango River
20 substantially in accordance with the recommendations of the
21 Chief of Engineers in House Document Numbered 702,
22 Seventy-seventh Congress, second session, at an estimated
23 additional cost of \$4,755,000.

24 (28) The plan for the Raystown Reservoir on the Raystown
25 Branch of the Juniata River, Pennsylvania, for flood con-

1 trol and other purposes, substantially in accordance with
2 the recommendations of the Chief of Engineers in House
3 Document Numbered 702, Seventy-seventh Congress, sec-
4 ond session, is approved, and there is hereby authorized to
5 be appropriated the sum of \$2,000,000 for the initiation
6 and partial accomplishment thereof.

7 (29)ROANOKE RIVER BASIN

8 *The general plan for the comprehensive development*
9 *of the Roanoke River Basin for flood control and other pur-*
10 *poses recommended by the Chief of Engineers in House*
11 *Document Numbered 650, Seventy-eighth Congress, second*
12 *session, is approved and the construction of the Buggs Island*
13 *Reservoir on the Roanoke River in Virginia and North*
14 *Carolina, and the Philpott Reservoir on the Smith River in*
15 *Virginia, are hereby authorized substantially in accordance*
16 *with the recommendations of the Chief of Engineers in that*
17 *report at an estimated cost of \$36,140,000.*

18 (30)YADKIN-PEE DEE RIVER BASIN

19 *The general plan for the comprehensive development of*
20 *the Yadkin-Pee Dee River Basin for flood control and other*
21 *purposes recommended by the Chief of Engineers in House*
22 *Document 652, Seventy-eighth Congress, second session, is*
23 *hereby stricken from the bill and is referred to the Committee*
24 *on Commerce to the end that hearings may be had from the*

1 *people concerned and with instructions to report back to the*
 2 *Senate within six months.*

3 (31) *EDISTO RIVER BASIN*

4 *The project for local flood control on Edisto River, South*
 5 *Carolina, is hereby authorized substantially in accordance*
 6 *with the recommendations of the Chief of Engineers in Senate*
 7 *Document Numbered 182, Seventy-eighth Congress, second*
 8 *session, at an estimated cost of \$139,000.*

9 (32) *SAVANNAH RIVER BASIN*

10 *The general plan for the comprehensive development of*
 11 *the Savannah River Basin for flood control and other pur-*
 12 *poses recommended by the Chief of Engineers in House Docu-*
 13 *ment Numbered 657, Seventy-eighth Congress, second session,*
 14 *is approved and the construction of the Clark Hill Reservoir*
 15 *on the Savannah River in South Carolina and Georgia, is*
 16 *hereby authorized substantially in accordance with the recom-*
 17 *mendations of the Chief of Engineers in that report at an*
 18 *estimated cost of \$35,300,000.*

19 *MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN*

20 *In addition to previous authorizations, there is hereby*
 21 *authorized the completion of the Allatoona Reservoir on the*
 22 *Etowah River, Georgia, approved in the Act of August 18,*
 23 *1941, at an estimated cost of \$14,400,000.*

24 *LOWER MISSISSIPPI RIVER*

25 *The project for flood control and improvement of the*

1 Lower Mississippi River adopted by the Act of May 15,
2 1928, as amended by subsequent Acts of Congress, is
3 hereby modified in accordance with the recommendations
4 of the Chief of Engineers in House Document Numbered 509,
5 Seventy-eighth Congress, second session, and, as modified,
6 is hereby adopted and there is hereby authorized to be
7 appropriated, in addition to the sums previously authorized,
8 \$200,000,000 for the accomplishment of the purposes set
9 forth in said document.

10 **(33)** *Paragraph (d) of the Lower Mississippi River item in*
11 *section 3 of the Flood Control Act of August 18, 1941, is*
12 *amended to read as follows:*

13 *“The Chief of Engineers, with the approval of the Sec-*
14 *retary of War, shall reimburse local authorities for actual*
15 *expenditures found by the Chief of Engineers to reflect the*
16 *actual cash value, regardless of State or local assessment*
17 *valuations, for providing, at the request of the United States,*
18 *lands, rights-of-way, and flowage easements required for*
19 *the setbacks of main-line Mississippi River levees: Provided,*
20 *That such lands, rights-of-way, and flowage easements may*
21 *be provided by local authorities in accordance with local*
22 *legal procedure or custom: Provided further, That this para-*
23 *graph shall apply to all such lands, rights-of-way, and flow-*
24 *age easements that have been required by the United States*
25 *for such setback levees since August 18, 1941, regardless*

1 of any reimbursement that may have been agreed upon or
2 made since August 18, 1941."

3 The project for flood control on the Boeuf and Tensas
4 Rivers and Bayou Macon, Arkansas and Louisiana, is hereby
5 authorized substantially in accordance with the recommenda-
6 tions of the Chief of Engineers in Senate Document Num-
7 bered 151, Seventy-eighth Congress, second session, at an
8 estimated cost of \$5,013,000.

9 The project for flood control on the Big Sunflower, Little
10 Sunflower, Hushpuckena, and Quiver Rivers and their tribu-
11 taries, and on Hull Brake-Mill Creek Canal, Bogue Phalia,
12 Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi,
13 is hereby authorized substantially in accordance with the
14 recommendations of the Chief of Engineers in House Docu-
15 ment Numbered 516, Seventy-eighth Congress, second
16 session, at an estimated cost of \$3,752,000.

17 The project for flood protection in the backwater area
18 of the Yazoo River authorized in the Flood Control Act of
19 August 18, 1941, is hereby amended to authorize the Chief
20 of Engineers, in his discretion, to include improvements for
21 the protection of the Satartia area at an estimated additional
22 cost of \$1,061,000 or, in his discretion, to include improve-
23 ments for the protection of the Satartia area plus its extension
24 at an estimated additional cost of \$1,952,000.

RED-OUACHITA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for the Little Missouri River in Arkansas, at an estimated cost of \$3,800,000.

(34) *The project on Red River in the vicinity of Shreveport, Louisiana, for flood control and bank protection is hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 627, Seventy-eighth Congress, second session, at an estimated cost of \$3,000,000, except that, in view of the large expenditure already made by local interests, they shall not be required to contribute to the construction cost.*

(35) *The project for the Blakely Mountain Dam on the Ouachita River, for flood control and other purposes in the Ouachita River Basin, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 647, Seventy-eighth Congress, second session, at an estimated cost of \$11,080,000.*

ARKANSAS RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$35,000,000 for the prosecution of the comprehensive plan approved in the

1 Act of June 28, 1938, as modified by the Act approved
2 August 18, 1941, for the Arkansas River Basin.

3 The projects for local flood protection on the Arkansas
4 River are hereby modified and authorized substantially in
5 accordance with the recommendations of the Chief of
6 Engineers in House Document Numbered 447, Seventy-
7 eighth Congress, second session, at an estimated additional
8 cost of \$10,299,400.

9 The project on tributaries of the Fountaine Que Bouille
10 River for flood protection at Colorado Springs, Colorado, is
11 hereby authorized substantially in accordance with the recom-
12 mendations of the Chief of Engineers in House Document
13 Numbered 186, Seventy-eighth Congress, first session, at an
14 estimated cost of \$500,000.

15 The project on Purgatoire River for local flood protection
16 at Trinidad, Colorado, is hereby authorized substantially in
17 accordance with the recommendations of the Chief of Engi-
18 neers in House Document Numbered 387, Seventy-eighth
19 Congress, second session, at an estimated cost of \$909,000
20 (36): *Provided, That the project may be modified to include*
21 *storage in reservoirs upstream from Trinidad if the Secretary*
22 *of War and the Chief of Engineers find such action advisable*
23 *for flood control and in order to make more water readily*
24 *available for agricultural and industrial uses without im-*
25 *pairment of flood control for Trinidad.*

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$45,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved August 18, 1941, for the White River Basin.

UPPER MISSISSIPPI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Upper Mississippi River Basin (37), *including the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Seventy-eighth Congress, second session, at an estimated cost of \$15,000,000: Provided, That the elevation of the crest of the spillway of the dam shall not exceed seven hundred and eighty feet above mean sea level.*

The project authorized by the Act of June 22, 1936, for local flood protection on the Mississippi River at the Sainte Genevieve Levee District Numbered 1, Missouri, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document

1 Numbered 727, Seventy-seventh Congress, second session,
2 at an estimated cost of \$141,000.

3 **(38)***The project on the Des Moines River for local flood pro-*
4 *tection at Des Moines, Iowa, is hereby authorized substan-*
5 *tially in accordance with the recommendations of the Chief*
6 *of Engineers in House Document Numbered 651, Seventy-*
7 *eighth Congress, second session, at an estimated cost of*
8 *\$270,000.*

9 The project on the Mississippi River for local flood pro-
10 tection at Sabula, Iowa, is hereby authorized substantially
11 in accordance with the recommendations of the Chief of
12 Engineers in House Document Numbered 328, Seventy-
13 seventh Congress, first session, at an estimated cost of
14 \$25,000.

15 The project on the Galena River, for local flood protec-
16 tion at Galena, Illinois, is hereby authorized substantially in
17 accordance with the recommendations of the Chief of Engi-
18 neers in House Document Numbered 336, Seventy-seventh
19 Congress, first session, at an estimated cost of **(39)**~~\$418,000~~
20 \$300,000.

21 The project for flood control on the Illinois River is
22 hereby authorized substantially in accordance with the recom-
23 mendations of the Chief of Engineers in House Document
24 Numbered 692, Seventy-seventh Congress, second session,
25 at an estimated cost of \$111,500.

1 (40 $\frac{1}{2}$) *The project for flood control on Farm Creek, Illinois,*
 2 *is hereby authorized substantially in accordance with the*
 3 *recommendations of the Chief of Engineers in his report of*
 4 *November 16, 1944, at an estimated cost of \$3,017,900.*

5 The project on Elk Creek and Turkey River for local
 6 flood protection at Elkport, Iowa, is hereby authorized sub-
 7 stantially in accordance with the recommendations of the
 8 Chief of Engineers in House Document Numbered 700,
 9 Seventy-seventh Congress, second session, at an estimated
 10 cost of \$13,000.

11 RED RIVER OF THE NORTH BASIN

12 The projects for flood control for Red Lake River, Min-
 13 nesota, including Clearwater River, Minnesota, are hereby
 14 authorized substantially in accordance with the recommenda-
 15 tions of the Chief of Engineers in House Document Numbered
 16 345, Seventy-eighth Congress, first session, at an estimated
 17 cost of \$902,940.

18 (40) *The project for the Bald Hill Reservoir on the Sheyenne*
 19 *River for flood control and other purposes in the Sheyenne*
 20 *River Basin, North Dakota, is hereby authorized substan-*
 21 *tially in accordance with the recommendations of the Chief*
 22 *of Engineers in Senate Document Numbered 193, Seventy-*
 23 *eighth Congress, second session, at an estimated cost of*
 24 *\$810,000.*

25 (41) *The projects for the construction of one reservoir on the*

1 *Pembina River and one on the Tongue River for flood con-*
2 *trol and other purposes in the Pembina River Basin, North*
3 *Dakota, are hereby authorized substantially in accordance*
4 *with the recommendations of the Chief of Engineers in House*
5 *Document Numbered 565, Seventy-eighth Congress, second*
6 *session, at an estimated cost of \$333,800.*

7 (42) *The project for the construction of a reservoir on the*
8 *South Branch of Park River for flood control and other*
9 *purposes in the Park River Basin, North Dakota, is hereby*
10 *authorized substantially in accordance with the recommenda-*
11 *tions of the Chief of Engineers in Senate Document Num-*
12 *bered 194, Seventy-eighth Congress, second session, at an*
13 *estimated cost of \$358,610.*

14 MISSOURI RIVER BASIN

15 (43) *The general comprehensive plan for flood control and*
16 *other purposes in the Missouri River Basin approved by the*
17 *Act of June 28, 1938, as modified by subsequent Acts, is*
18 *hereby expanded to include the plan of improvement for*
19 *flood control, irrigation, power development, navigation, and*
20 *other purposes, substantially in accordance with the recom-*
21 *mendations of the Chief of Engineers in House Document*
22 *Numbered 475, Seventy-eighth Congress, second session;*
23 *and as expanded is approved; and, in addition to previous*
24 *authorizations, there is hereby authorized to be appropriated*
25 *the sum of \$200,000,000 for the partial accomplishment of*

1 the comprehensive plan as modified and expanded: *Provided,*
2 That nothing in this Act shall be construed as creating below
3 Sioux City any demand upon the water resources of the
4 Missouri River Basin above Sioux City in excess of that
5 now authorized by existing law: *And provided further,* That
6 portions of the storage authorized for the main stem of the
7 river shall be placed on tributaries if the Secretary of War
8 and the Chief of Engineers find such action advisable for silt
9 control and in order to make more water readily available
10 for agricultural and industrial use without impairment of
11 flood control below Sioux City and without increasing the
12 authorized limit of cost.

13 The project adopted by the Act of June 22, 1936, to
14 provide flood protection for the Kansas Citys, Kansas and
15 Missouri, is hereby modified and extended to provide for
16 improvement substantially in accordance with the recom-
17 mendations of the Chief of Engineers in House Document
18 Numbered 342, Seventy-eighth Congress, first session, at an
19 estimated additional cost for the modified project of
20 \$8,445,000 (44): *Provided further, That neither this*
21 *authorization nor any previous authorization shall be con-*
22 *strued to authorize the construction of a dam or reservoir at*
23 *the so-called Tuttle Creek site on the Big Blue River, a trib-*
24 *utary of the Kansas River in Kansas.*

25 In addition to previous authorizations, there is hereby

1 authorized the completion of the plan approved in the Act
2 of August 18, 1941, for Cherry Creek and tributaries, Colo-
3 rado, at an estimated cost of \$7,500,000.

4 The project on Knife River for local flood control at
5 Beulah, North Dakota, is hereby authorized substantially in
6 accordance with the recommendations of the Chief of Engi-
7 neers in House Document Numbered 252, Seventy-eighth
8 Congress, first session, at an estimated cost of \$26,100.

9 The project on Knife River for local flood control at
10 Hazen, North Dakota, is hereby authorized substantially in
11 accordance with the recommendations of the Chief of
12 Engineers in House Document Numbered 252, Seventy-
13 eighth Congress, first session, at an estimated cost of \$6,600.

14 The project on Milk River adopted by the Act of June
15 22, 1936, to provide local flood protection at Harlem, Mon-
16 tana, is hereby modified substantially in accordance with the
17 recommendations of the Chief of Engineers in Senate Docu-
18 ment Numbered 103, Seventy-eighth Congress, first session,
19 at an estimated cost of \$21,100.

20 The project on Milk River for local flood protection at
21 Havre, Montana, is hereby authorized substantially in accord-
22 ance with the recommendations of the Chief of Engineers in
23 Senate Document Numbered 103, Seventy-eighth Congress,
24 first session, at an estimated cost of \$313,100.

25 The project on Boyer River for local flood control on

1 East Fork of Boyer River at Denison, Iowa, is hereby
2 authorized substantially in accordance with the recommenda-
3 tions of the Chief of Engineers in House Document Numbered
4 254, Seventy-eighth Congress, first session, at an estimated
5 cost of \$17,830.

6 The project on Nishnabotna River for local flood control
7 at Hamburg, Iowa, is hereby authorized substantially in ac-
8 cordance with the recommendations of the Chief of Engineers
9 in House Document Numbered 253, Seventy-eighth Con-
10 gress, first session, at an estimated cost of \$236,000.

11 (45) *The plan of improvement for local flood protection*
12 *on the Chariton River, Missouri, is hereby authorized substan-*
13 *tially in accordance with the recommendations of the Chief*
14 *of Engineers in House Document Numbered 628, Seventy-*
15 *eighth Congress, second session, at an estimated cost of*
16 *\$1,610,300.*

17 The project on Bear Creek for local flood protection at
18 Morrison, Colorado, is hereby authorized substantially in
19 accordance with recommendations of the Chief of Engineers
20 in House Document Numbered 356, Seventy-eighth Con-
21 gress, first session, at an estimated cost of \$220,000.

22 OHIO RIVER BASIN

23 In addition to previous authorizations, there is hereby
24 authorized to be appropriated the sum of \$70,000,000 for
25 the prosecution of the comprehensive plan approved in the

1 Act of June 28, 1938, as modified by the Act approved
2 August 18, 1941, for the Ohio River Basin, including the
3 following projects in tributary basins, namely:

4 The local flood protection works in the Lake Chautauqua
5 and Chadakoin River area, substantially in accordance with
6 the recommendations of the Chief of Engineers in House
7 Document Numbered 685, Seventy-seventh Congress, sec-
8 ond session, at an estimated cost of \$135,500;

9 The local flood protection works at Dillonvale and
10 Adena on Short Creek, Ohio, substantially in accordance
11 with the recommendations of the Chief of Engineers in
12 House Document Numbered 889, Seventy-seventh Congress,
13 second session, at an estimated cost of \$158,200;

14 The local flood protection works at Taylorsville on Salt
15 River, Kentucky, substantially in accordance with the recom-
16 mendations of the Chief of Engineers in Senate Document
17 Numbered 105, Seventy-eighth Congress, first session, at
18 an estimated cost of \$129,350;

19 The local flood protection works at Latrobe on Loyal-
20 hanna Creek, Pennsylvania, substantially in accordance with
21 the recommendations of the Chief of Engineers in House
22 Document Numbered 444, Seventy-eighth Congress, second
23 session, at an estimated cost of \$112,500;

24 (46) *The plan of improvement for flood control and other*
25 *purposes in the Kentucky River Basin, substantially in ac-*

1 *cordance with the recommendations of the Chief of Engineers*
 2 *in House Document Numbered 504, Seventy-eighth Congress,*
 3 *second session, at an estimated cost of \$23,822,000;*

4 **(47)***The local flood protection works at Middlesborough on*
 5 *Yellow Creek, Kentucky, substantially in accordance with*
 6 *the recommendations of the Chief of Engineers in House*
 7 *Document Numbered 495, Seventy-eighth Congress, second*
 8 *session, at an estimated cost of \$205,200;*

9 **(48)***The local flood protection works on the Rough River and*
 10 *tributaries, Kentucky, substantially in accordance with the*
 11 *recommendations of the Chief of Engineers in House Docu-*
 12 *ment Numbered 535, Seventy-eighth Congress, second session,*
 13 *at an estimated cost of \$360,000;*

14 **(49)***The Turtle Creek Reservoir on Turtle Creek, Pennsyl-*
 15 *vania, substantially in accordance with the recommendations*
 16 *of the Chief of Engineers in House Document Numbered*
 17 *507, Seventy-eighth Congress, second session, at an estimated*
 18 *cost of \$2,613,000;*

19 The Burr Oak Reservoir on the Hocking River, Ohio,
 20 substantially in accordance with the recommendations of the
 21 Chief of Engineers in House Document Numbered 762,
 22 Seventy-seventh Congress, second session, at an estimated
 23 cost of \$400,000 **(50)**;

24 The Rowlesburg Reservoir on the Cheat River, sub-
 25 stantially in accordance with the recommendations of the

1 Chief of Engineers in the report submitted to Congress by
 2 the Secretary of War on November 26, 1942, at an esti-
 3 mated cost of \$29,230,000; and

4 (51)The improvement in the Youghiogheny River Basin,
 5 substantially in accordance with the recommendations of the
 6 Chief of Engineers in a report submitted to Congress by the
 7 Secretary of War on March 29, 1943, at an estimated cost
 8 of \$37,970,000.

9 (52)*No provision of this or any other Act shall be construed*
 10 *to authorize the construction of the Shoals Dam on the East*
 11 *Fork of the White River in Martin County, Indiana.*

12 That the general comprehensive plan for flood control
 13 and other purposes, approved in the Flood Control Act
 14 of June 28, 1938, for the Ohio River Basin, is hereby
 15 modified to include the construction of flood-control works
 16 for the protection of Ridgway, Johnsonburg, Saint Marys,
 17 and Brockway and vicinity in the State of Pennsylvania.

18 GREAT LAKES BASIN

19 The project for the Panther Mountain Reservoir on
 20 Moose River, New York, is hereby authorized substantially
 21 in accordance with the recommendations of the Chief of
 22 Engineers in House Document Numbered 405, Seventy-
 23 seventh Congress, first session, at an estimated cost of
 24 \$600,000.

25 The project for flood control on Chittenango Creek and

1 tributaries, New York, is hereby authorized substantially
2 in accordance with the recommendations of the Chief of
3 Engineers in House Document Numbered 625, Seventy-
4 seventh Congress, second session, at an estimated cost of
5 \$111,000.

6 The projects for flood control on Owasco Inlet and Outlet,
7 Montville and Dry Creeks, State Ditch, and Crane Brook,
8 New York, are hereby authorized substantially in accordance
9 with the recommendations of the Chief of Engineers in
10 House Document Numbered 815, Seventy-seventh Congress,
11 second session, at an estimated cost of \$64,200.

12 (53) *The project for the Mount Morris Reservoir on the*
13 *Genesee River, New York, is hereby authorized substantially*
14 *in accordance with the recommendations of the Chief of*
15 *Engineers in House Document Numbered 615, Seventy-*
16 *eighth Congress, second session, at an estimated cost of*
17 *\$5,360,000.*

18 COLORADO RIVER BASIN (TEXAS)

19 In addition to previous authorizations, there is hereby
20 authorized the completion of the plan approved in the Act
21 of August 18, 1941, for the North Concho River, Texas, at
22 an estimated cost of \$4,800,000.

23 In addition to previous authorizations, there is hereby
24 authorized the completion of the plan approved in the Act

1 of August 18, 1941, for Pecan Bayou, Texas, at an estimated
2 cost of \$1,560,000.

3 BRAZOS RIVER BASIN

4 In addition to previous authorizations, there is hereby
5 authorized the completion of Whitney Reservoir in accord-
6 ance with the plan approved in the Act of August 18, 1941,
7 for the Brazos River Basin. at an estimated cost of
8 \$15,000,000.

9 RIO GRANDE BASIN

10 The project on Willow Creek for local flood protection
11 at Creede, Colorado, is hereby authorized substantially in
12 accordance with the recommendations of the Chief of Engi-
13 neers in Senate Document Numbered 104, Seventy-eighth
14 Congress, first session, at an estimated cost of \$68,500.

15 (54) GREAT SALT BASIN

16 *The project on the Sevier River for local flood protection*
17 *at Redmond, Utah, is hereby authorized substantially in*
18 *accordance with the recommendations of the Chief of En-*
19 *gineers in House Document Numbered 614, Seventy-eighth*
20 *Congress, second session, at an estimated cost of \$281,000.*

21 (55) COLORADO RIVER BASIN

22 (56) *The project for the Alamo Reservoir on the Bill Williams*
23 *River, Arizona, is hereby authorized substantially in accord-*
24 *ance with the recommendations of the Chief of Engineers in*

1 *House Document Numbered 625, Seventy-eighth Congress,*
2 *second session, at an estimated cost of \$3,202,000.*

3 **(57)***The project on the Little Colorado River for local flood*
4 *protection at Holbrook, Arizona, is hereby authorized sub-*
5 *stantially in accordance with the recommendations of the*
6 *Chief of Engineers in House Document Numbered 648,*
7 *Seventy-eighth Congress, second session, at an estimated cost*
8 *of \$258,000.*

9 SAN DIEGO RIVER BASIN

10 The project on the San Diego River for local flood pro-
11 tection at San Diego, California, is hereby authorized sub-
12 stantially in accordance with the recommendations of the
13 Chief of Engineers in House Document Numbered 635,
14 Seventy-seventh Congress, second session, at an estimated
15 cost of \$370,000.

16 VENTURA RIVER BASIN

17 The projects on the Ventura River and tributaries for
18 local flood protection at Ventura and Ojai, California, are
19 hereby authorized substantially in accordance with the recom-
20 mendations of the Chief of Engineers in House Document
21 Numbered 323, Seventy-seventh Congress, first session, at
22 an estimated cost of \$1,600,000.

23 SANTA ANA RIVER BASIN

24 In addition to previous authorizations, there is hereby
25 authorized to be appropriated the sum of \$10,000,000 for

1 the prosecution of the projects approved in the Act of June
 2 22, 1936, as modified by the Act of June 28, 1938, for the
 3 Santa Ana River Basin and for the protection of Orange
 4 County, California, including the projects on Lytle and
 5 Cajon Creeks for local flood protection at San Bernardino
 6 and Colton, California, in accordance with the recommenda-
 7 tions contained in the report of the Chief of Engineers dated
 8 February 11, 1944.

9 LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

10 In addition to previous authorizations, there is hereby
 11 authorized to be appropriated the sum of \$25,000,000 for
 12 the prosecution of the comprehensive plan approved in the
 13 Act of August 18, 1941, for Los Angeles and San Gabriel
 14 Rivers and Ballona Creek, California.

15 (58)PAJARO RIVER BASIN

16 *The plan of improvement for local flood protection on*
 17 *the Pajaro River and tributaries, California, is hereby au-*
 18 *thorized substantially in accordance with the recommenda-*
 19 *tions of the Chief of Engineers in House Document Num-*
 20 *bered 505, Seventy-eighth Congress, second session, at an*
 21 *estimated cost of \$511,160.*

22 SACRAMENTO-SAN JOAQUIN RIVER BASIN

23 SACRAMENTO RIVER

24 (59)The projects for the control of floods and other purposes
 25 on the Sacramento River, California, adopted by the Acts

1 approved March 1, 1917, May 15, 1928, August 26, 1937,
2 and August 18, 1941, are hereby modified substantially in
3 accordance with the recommendation of the Board of Engi-
4 neers for Rivers and Harbors dated February 7, 1944, with
5 such modifications thereof as in the discretion of the Seere-
6 tary of War and the Chief of Engineers may be advisable,
7 at an estimated cost of \$46,056,000; and in addition to

8 *The projects for the control of floods and other purposes*
9 *on the Sacramento River, California, adopted by the Acts ap-*
10 *proved March 1, 1917, May 15, 1928, August 26, 1937,*
11 *and August 18, 1941, are hereby modified substantially in*
12 *accordance with the recommendations of the Chief of Engi-*
13 *neers in House Document Numbered 649, Seventy-eighth*
14 *Congress, second session, at an estimated cost of \$50,100,000;*
15 *and in addition to previous authorizations there is hereby*
16 *authorized to be appropriated the sum of \$15,000,000 for*
17 *the prosecution of the modified projects: Provided, That this*
18 *modification of the project shall not be construed to authorize*
19 *the construction of a high dam at the Table Mountain site*
20 *but shall authorize only the low-level project to approxi-*
21 *mately the elevation of four hundred feet above mean sea*
22 *level, said low-level dam to be built on a foundation sufficient*
23 *for such dam and not on a foundation for future construction*
24 *of a higher dam.*

25 (60) *The project for the Folsom Reservoir on the American*

1 River, California, is hereby authorized substantially in
2 accordance with the plans contained in House Document
3 Numbered 649, Seventy-eighth Congress, second session,
4 with such modifications thereof as in the discretion of the
5 Secretary of War and the Chief of Engineers may be advis-
6 able, at an estimated cost of \$18,474,000.

SAN JOAQUIN RIVER

8 The project for the Isabella Reservoir on the Kern
9 River for flood control and other purposes in the San Joaquin
10 Valley, California, is hereby authorized substantially in ac-
11 cordance with the recommendations of the Chief of Engi-
12 neers in his report dated January 26, 1944, contained in
13 House Document Numbered 513, Seventy-eighth Congress,
14 second session, at an estimated cost of \$6,800,000.

15 The plan for the Terminus and Success Reservoirs on
16 the Kaweah and Tule Rivers for flood control and other
17 purposes in the San Joaquin Valley, California, in accord-
18 ance with the recommendations of the Chief of Engineers in
19 Flood Control Committee Document Numbered 1, Seventy-
20 eighth Congress, second session, is approved, and there is
21 hereby authorized \$4,600,000 for initiation and partial
22 accomplishment of the plan.

23 The project for flood control and other purposes for the
24 Kings River and Tulare Lake Basin, California, is hereby
25 authorized substantially in accordance with the plans con-

1 tained in House Document Numbered 630, Seventy-sixth
2 Congress, third session, with such modifications thereof as in
3 the discretion of the Secretary of War and the Chief of En-
4 gineers may be advisable at an estimated cost of \$19,700,-
5 000: *Provided*, That the conditions of local cooperation
6 specified in said document shall not apply: *Provided further*,
7 That the Secretary of War shall make arrangements for pay-
8 ment to the United States by the State or other responsible
9 agency, either in lump sum or annual installments, for con-
10 servation storage when used: *Provided further*, That the
11 division of costs between flood control, and irrigation and
12 other water uses shall be determined by the Secretary of War
13 on the basis of continuing studies by the Bureau of Reclama-
14 tion, the War Department, and the local organizations.

15 The plan of improvement for local flood protection on
16 various streams in the Merced County Stream Group in the
17 San Joaquin Valley is hereby authorized substantially in ac-
18 cordance with the recommendations of the Chief of Engineers
19 in House Document Numbered 473, Seventy-eighth Con-
20 gress, second session, at an estimated cost of \$1,300,000.

21 The plan of improvement for flood control and other pur-
22 poses on the Lower San Joaquin River and tributaries, in-
23 cluding Tuolumne and Stanislaus Rivers, in accordance with
24 the recommendations of the Chief of Engineers in Flood Con-
25 trol Committee Document Numbered 2, Seventy-eighth Con-

gress, second session, is approved, and there is hereby authorized \$8,000,000 for initiation and partial accomplishment of the plan.

(61) *The plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Seventy-eighth Congress, second session, at an estimated cost of \$3,868,200.*

(62) *NAPA RIVER BASIN*

The project for the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 626, Seventy-eighth Congress, second session, at an estimated cost of \$460,000.

COQUILLE RIVER BASIN

The project for flood protection on the Coquille River, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 620, Seventy-seventh Congress, second session, at an estimated cost of \$143,000.

NEHALEM RIVER BASIN

The project for flood protection on the Nehalem River, Oregon, is hereby authorized substantially in accordance with

1 the recommendations of the Chief of Engineers in House
2 Document Numbered 621, Seventy-seventh Congress, sec-
3 ond session, at an estimated cost of \$23,000.

4 WILLAMETTE RIVER BASIN

5 In addition to previous authorizations, there is hereby
6 authorized to be appropriated the sum of \$20,000,000 for
7 the prosecution of the comprehensive plan approved in the
8 Act of June 28, 1938, for the Willamette River Basin, with
9 such modifications thereof as in the discretion of the Chief
10 of Engineers may be advisable.

11 COLUMBIA RIVER BASIN

12 The projects on the Snake River for local flood protection
13 at Heise, Roberts, and Weiser, Idaho, are hereby authorized.
14 substantially in accordance with the recommendations of the
15 Chief of Engineers in House Document Numbered 452,
16 Seventy-seventh Congress, first session, at an estimated cost
17 of \$743,000.

18 The projects on the Palouse River and tributaries for
19 local flood protection at Pullman and Colfax, Washington,
20 are hereby authorized substantially in accordance with the
21 recommendations of the Chief of Engineers in House Docu-
22 ment Numbered 888, Seventy-seventh Congress, second ses-
23 sion, at an estimated cost of \$478,000.

24 The project on Alkali Canyon for local flood protection
25 at Arlington, Oregon, is hereby authorized substantially in

1 accordance with the recommendations of the Chief of Engi-
 2 neers in House Document Numbered 631, Seventy-seventh
 3 Congress, second session, at an estimated cost of \$118,000.

4 WILLAPA RIVER BASIN

5 The project on the Willapa River for local flood pro-
 6 tection at Raymond, Washington, is hereby authorized sub-
 7 stantially in accordance with the recommendations of the
 8 Chief of Engineers in House Document Numbered 701,
 9 Seventy-seventh Congress, second session, at an estimated
 10 cost of \$127,000.

11 (63)CHEHALIS RIVER BASIN

12 *The project on Chehalis River for local flood protection*
 13 *at Hoquiam, Aberdeen, and Cosmopolis, Washington, is*
 14 *hereby authorized substantially in accordance with the recom-*
 15 *mendations of the Chief of Engineers in House Document*
 16 *Numbered 494, Seventy-eighth Congress, second session, at*
 17 *an estimated cost of \$669,000.*

18 (64)TERRITORY OF HAWAII

19 *The project on the Hanapepe River for local flood pro-*
 20 *tection at Hanapepe, Island of Kauai, Territory of Hawaii,*
 21 *is hereby authorized substantially in accordance with the*
 22 *recommendations of the Chief of Engineers in the report sub-*
 23 *mitted to Congress by the Secretary of War on March 15,*
 24 *1944, at an estimated cost of \$73,000.*

25 SEC. (65)§ 11. The Secretary of War is hereby author-

1 ized and directed to cause preliminary examinations and sur-
2 veys for flood control and allied purposes, including channel
3 and major drainage improvements, to be made under the di-
4 rection of the Chief of Engineers, in drainage areas of the
5 United States and its Territorial possessions, which include
6 the following-named localities, and the Secretary of Agricul-
7 ture is authorized and directed to cause preliminary examina-
8 tions and surveys for run-off and waterflow retardation and
9 soil-erosion prevention on such drainage areas; the cost there-
10 of to be paid from appropriations heretofore or hereafter made
11 for such purposes: *Provided*, That after the regular or formal
12 reports made on any examination, survey, project, or work
13 under way or proposed are submitted to Congress, no supple-
14 mental or additional report or estimate shall be made unless
15 authorized by law except that the Secretary of War may
16 cause a review of any examination or survey to be made
17 and a report thereon submitted to the Congress if such review
18 is required by the national defense or by changed physical
19 or economic conditions: *And provided further*, That the Gov-
20 ernment shall not be deemed to have entered upon any
21 project for the improvement of any waterway or harbor
22 mentioned in this Act until the project for the proposed work
23 shall have been adopted by law:

24 (66)*Pasquotank River, North Carolina.*

25 *Chipola River, Alabama and Florida.*

1 Wacassassa River and its tributaries, Florida, and of
2 adjacent areas in Gilchrest and Levy Counties, Florida.

3 Oklawaha River and its tributaries, Florida, and of
4 adjacent areas in Alachua and Marion Counties, (67)Florida,
5 Florida.

6 (68)Clear Fork of the Mohican River, in Richland County,
7 Ohio.

8 Hocking River in Hocking County, Ohio.

9 (69)Leatherwood Creek, Ohio, with particular reference to
10 flood control and water supply for Cambridge, Ohio.

11 (70)For flood control, rice irrigation, navigation, pollution,
12 salt-water intrusion, and drainage on all streams and bayous
13 in southwest Louisiana, west of the West Atchafalaya Basin
14 protection levee, and south of the latitude of Boyce; on all
15 streams and bayous in Louisiana lying between the East
16 Atchafalaya Basin protection levee and the Mississippi River;
17 and on Amite River and tributaries, Louisiana.

18 Choctawhatchee River, Florida.

19 Scajaquada Creek and its tributaries, New York.

20 Susquehanna River in the vicinity of Endicott, John-
21 son City, and Vestal, New York.

22 (71)Absecon Island, New Jersey, with a view to the pro-
23 tection of Atlantic City, Ventnor, Margate City, Longport,
24 and other areas on the New Jersey Coast, that have been
25 affected from floods due to tide and wind.

1 (72) *Juniata River and tributaries, Pennsylvania, with*
 2 *special reference to the proposed Raystown Reservoir.*

3 (73) *Rehoboth Beach, Bethany Beach, Lewes, and Fenwick*
 4 *Island, Delaware, and other points along the Delaware coast,*
 5 *with a view to providing protection against damage resulting*
 6 *from erosion and from floods due to wind and tide.*

7 Buffalo River, Minnesota.

8 Wild Rice River, Minnesota.

9 Marsh River, Minnesota.

10 Sand Hill River, Minnesota.

11 Red Lake River, Minnesota.

12 Roseau River, Minnesota.

13 Snake River, Minnesota.

14 Middle River, Minnesota.

15 Tamarac River, Minnesota.

16 Two Rivers, Minnesota.

17 Warroad River and Bull Dog Creek, Minnesota.

18 Mississippi River and its tributaries, in the County of
 19 Aitkin, Minnesota.

20 Apple River, Joe Daviess County, Illinois.

21 Maumee River, Indiana and Ohio.

22 Indian Creek, Indiana.

23 (74) *Youghiogheny River Basin, Pennsylvania and Mary-*
 24 *land.*

25 (75) *Reno Beach, Lucas County, Ohio, with a view to pro-*

1 *tection of the Reno Beach-Howards Farm area and adjacent*
 2 *areas from floods caused by frequent windstorms and from*
 3 *increases in the lake level of Lake Erie.*

4 **(76)***Arkansas River above Pine Bluff, Arkansas, with*
 5 *special reference to control of caving banks in the vicinity*
 6 *of Hensley Bar and the McFadden Place, in Jefferson*
 7 *County, Arkansas.*

8 *Osage River, Missouri and Kansas.*

9 **(77)***Big Canyon on Washita River in Murray County,*
 10 *Oklahoma.*

11 *Deep Red Run in Tillman County, Oklahoma; Big Elk*
 12 *Creek, Little Elk Creek, Salt Fork, Elm Creek, Saddle*
 13 *Mountain, Turkey Creek, Oklahoma.*

14 *San Rafael Creek and its tributaries, California.*

15 **(78)***Napa River, California.*

16 *Grand River, South Dakota.*

17 *Moreau River, South Dakota.*

18 **(79)***Corte Madera Creek, Marin County, California.*

19 *Bayamon and Hondo Rivers and their tributaries,*
 20 *Municipality of Bayamon, Puerto Rico.*

21 **(80)***Elkhorn River and its tributaries, Nebraska.*

22 SEC. **(81)** 12. That the sum of **(82)** ~~\$810,000,000~~
 23 ~~\$959,465,000~~ is hereby authorized to be appropriated for
 24 carrying out the improvements herein, the sum of \$10,000,000
 25 additional is authorized to be appropriated and expended in

1 equal amounts by the Departments of War and Agriculture
 2 for carrying out any examination or survey provided for in
 3 this Act and any other Acts of Congress, to be prosecuted by
 4 said Departments. The sum of \$1,500,000 additional is
 5 authorized to be appropriated and expended by the Federal
 6 Power Commission for carrying out any examinations and
 7 surveys provided for in this Act or any other Acts of Con-
 8 gress, to be prosecuted by the said Federal Power Commis-
 9 sion.

10 (83) *The sum of \$500,000 additional is authorized to be*
 11 *appropriated as an emergency fund to be expended under*
 12 *the direction of the Secretary of War and the supervision*
 13 *of the Chief of Engineers for the construction of emergency*
 14 *protection works to prevent flood damage to highways,*
 15 *bridge approaches and public works: Provided, That pend-*
 16 *ing the appropriation of said sum the Secretary of War*
 17 *may allot from existing flood control appropriations such*
 18 *sums as may be necessary for the immediate prosecution of*
 19 *such bank protection works; such appropriations to be reim-*
 20 *bursed from the appropriation herein authorized when made.*

21 SEC. (84) 13. That the following works of improve-
 22 ment for run-off and waterflow retardation, and soil-erosion
 23 prevention, are hereby adopted and authorized in the interest
 24 of the national security and with a view toward an adequate
 25 reservoir of useful and worthy public works for the post-war

1 construction program to be prosecuted by the Department of
2 Agriculture, under the direction of the Secretary of Agricul-
3 ture, in accordance with the plans of the respective reports
4 hereinafter designated and subject to the conditions set forth
5 therein: *Provided*, That the necessary plans and preliminary
6 work may be prosecuted during the war with funds from
7 appropriations heretofore or hereafter made for such works
8 so as to be ready for rapid inauguration of post-war con-
9 struction: *Provided further*, That when the existing critical
10 situation with respect to materials, equipment, and manpower,
11 no longer exists and in any event not later than immediately
12 following the cessation of hostilities in the present war, the
13 projects herein shall be initiated as expeditiously and prose-
14 cuted as vigorously as may be consistent with budgetary
15 requirements (85): *Provided further*, That nothing in this
16 section shall be construed as approving or authorizing the
17 acquisition of any land by the Federal Government.

18 LOS ANGELES RIVER BASIN

19 The program on the Los Angeles River watershed is
20 hereby approved substantially in accordance with the recom-
21 mendation of the Under Secretary of Agriculture in House
22 Document Numbered 426, Seventy-seventh Congress, first
23 session, at an estimated cost to the United States of
24 \$8,380,000.

(86) SANTA YNEZ RIVER WATERSHED

The program on the Santa Ynez River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 518, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$418,000.

TRINITY RIVER BASIN (TEXAS)

The program on the Trinity River watershed is hereby approved substantially in accordance with the recommendation of the Secretary of Agriculture in House Document Numbered 708, Seventy-seventh Congress, second session, at an estimated cost to the United States of (87)\$~~32,000,000~~ \$27,348,000.

LITTLE TALLAHATCHIE RIVER WATERSHED

The program on the Little Tallahatchie River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 892, Seventy-seventh Congress, second session, at an estimated cost to the United States of (88)\$~~4,221,000~~ \$2,171,000.

(89) YAZOO RIVER WATERSHED

The program on the Yazoo River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Docu-

1 *ment Numbered 564, Seventy-eighth Congress, second session,*
 2 *at an estimated cost to the United States of \$12,500,000.*

3 COOSA RIVER WATERSHED (ABOVE ROME, GEORGIA)

4 The program on the Coosa River watershed above
 5 Rome, Georgia, is hereby approved substantially in accord-
 6 ance with the recommendation of the Acting Secretary of
 7 Agriculture in House Document Numbered 236, Seventy-
 8 eighth Congress, first session, at an estimated cost to the
 9 United States of \$1,233,000.

10 LITTLE SIOUX RIVER WATERSHED

11 The program on the Little Sioux River watershed is
 12 hereby approved substantially in accordance with the recom-
 13 mendation of the Assistant Secretary of Agriculture in
 14 House Document Numbered 268, Seventy-eighth Congress,
 15 first session, at an estimated cost to the United States of
 16 \$4,280,000.

17 POTOMAC RIVER WATERSHED

18 The program on the Potomac River watershed is
 19 hereby approved substantially in accordance with the recom-
 20 mendation of the Assistant Secretary of Agriculture in House
 21 Document Numbered 269, Seventy-eighth Congress, first
 22 session, at an estimated cost to the United States of \$859,000.

23 (90) BUFFALO CREEK WATERSHED (NEW YORK)

24 BUFFALO, CAYUGA, AND CAZENOVIA CREEKS

25 *The program on the watershed of Buffalo Creek and its*

1 *tributaries, Cayuga, and Cazenovia Creeks, is hereby ap-*
 2 *proved substantially in accordance with the recommendation*
 3 *of the Acting Secretary of Agriculture in House Document*
 4 *Numbered 574, Seventy-eighth Congress, second session, at an*
 5 *estimated cost to the United States of \$739,000.*

6 COLORADO RIVER WATERSHED (TEXAS)

7 The program on those portions of the Colorado River
 8 watershed included in the watersheds of Pecan Bayou, San
 9 Saba River, Brady Creek, and the area tributary to the main
 10 stream of the Colorado River below its confluence with the
 11 Concho River and above the mouth of Pecan Bayou, is
 12 hereby approved substantially in accordance with the recom-
 13 mendation of the Assistant Secretary of Agriculture in House
 14 Document Numbered 270, Seventy-eighth Congress, first
 15 session, at an estimated cost to the United States of
 16 \$2,693,000.

17 WASHITA RIVER WATERSHED

18 The program on the Washita River watershed is hereby
 19 approved substantially in accordance with the recommenda-
 20 tion of the Under Secretary of Agriculture in House Docu-
 21 ment Numbered 275, Seventy-eighth Congress, first session,
 22 at an estimated cost to the United States of (91)\$11,243,000
 23 \$7,007,000.

24 SEC. (92)14. That the balance remaining from the
 25 authorization of \$10,000,000 provided in section 7 of the

1 Flood Control Act approved June 28, 1938, for the five-year
2 period ending June 30, 1944, to correlate the program for the
3 improvement of watersheds by the Department of Agriculture
4 for measures of run-off and waterflow retardation and soil-
5 erosion prevention on the watersheds with the program for
6 the improvement of rivers and other waterways by the De-
7 partment of War is hereby reauthorized to be expended dur-
8 ing the post-war period by the Department of Agriculture
9 for the prosecution of the work authorized in section (93)~~10~~
10 12 of this Act: *Provided*, That not more than 20 per centum
11 of the authorization made available herein shall be expended
12 on any one project.

13 SEC. (94)~~12~~ 15. That section 7 of the Act of June 28,
14 1938 (Public, Numbered 761, Seventy-fifth Congress, is
15 hereby amended by adding at the end of the first sentence
16 thereof the following: "The Secretary of Agriculture is hereby
17 authorized in his discretion to undertake such emergency
18 measures for run-off retardation and soil-erosion prevention
19 as may be needed to safeguard lives and property from floods
20 and the products of erosion on any watershed whenever fire
21 or any other natural element or force has caused a sudden
22 impairment of that watershed: *Provided*, That not to exceed
23 \$100,000 out of any funds heretofore or hereafter appro-
24 priated for the prosecution by the Secretary of Agriculture of
25 works of improvement or measures for run-off and water.

- 1 flow retardation and soil-erosion prevention on watersheds
- 2 may be expended during any one fiscal year for such emer-
- 3 gency measures."

Passed the House of Representatives May 9, 1944.

Attest:

SOUTH TRIMBLE,

Clerk.

Passed the Senate with amendments December 1 (legislative day, November 21), 1944.

Attest:

EDWIN A. HALSEY,

Secretary.

78TH CONGRESS
2D Session

H. R. 4485

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 4 (legislative day, NOVEMBER 21), 1944

Ordered to be printed with the amendments of the
Senate numbered

DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued December 12, 1944, for actions of Monday, December 11, 1944)

(For staff of Department only)

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Economy.....	3	Personnel...3,8,12,17,29,33		Taxation.....	12,21
Electrification.....	1,4	Post-war		Transportation.....	1,4
Executive authority....	27	planning.....	1,5,22,24	Travel.....	8
Farm program.....	4	Price control.....	4,22	Veterans.....	20,29,33,35
Farm security.....	6	Property management...	5,28	Veto power.....	18
Fertilizer.....	23	Reclamation.....	9,24	War effort.....	15
Flood control.....	10	R.F.C.....	13	Water conservation.....	5
Foreign trade.....	4,5	Research.....	31		

SENATE

1. RIVERS AND HARBORS BILL. Continued debate on this bill, H. R. 3961 (pp. 9250-76, 9281-94).

During the debate Sen. Langer, N. Dak., spoke in favor of the development of the St. Lawrence waterway to reduce grain shipping costs and bring to the farmer cheap electric power (p. 9274). Sen. Aiken, Vt., (for himself and Sens. Shipstead, Minn., and Ferguson, Mich.) offered an amendment providing for the post-war development of this waterway (p. 9291).

Agreed to Sen. Hill's (Ala.) request to vote on the St. Lawrence waterway not later than 3:00 today (Dec. 12) (p. 9294).

2. COCONUT TARIFF. Passed without amendment H. R. 1033, to suspend during the emergency the tariff duty on coconuts (p. 9274). This bill will now be sent to the President..
3. PERSONNEL; ECONOMY. Received the Reduction of Nonessential Federal Expenditures (Byrd) Committee report on civilian employment in the executive branch for October 1944 (pp. 9237-8).
4. FARM PROGRAM. Sen. Capper, Kans., inserted a report of the National Grange's legislative program favoring foreign trade development, support prices, parity prices which include farm-labor costs, relaxation of Government controls, cooperatives, farm credit, crop insurance, extension of rural electrification, rural health programs, cotton program based on soil conservation, and revision of Lend-Lease Act to prevent its use for non-war purposes; and opposing freight rate increases, corporation farming, and subsidies in lieu of fair prices (pp. 9236-7).
5. POST-WAR PLANNING. Sen. Kilgore, W. Va., inserted the American Legion Commission on Post-War America's report favoring free enterprise as a means of fostering post-war employment, prompt settlement of war contracts, disposal of surplus property according to the Baruch-Hancock report, abandonment of Government controls, simplified taxes, small-business credit, soil and water conservation programs, and domestic- and foreign-market development (pp.9241-2).

- 5a. APPROPRIATIONS; SMALL BUSINESS. Received from the President a supplemental appropriation estimate of \$100,000,000 for the payment of capital stock of the Smaller War Plants Corporation. (S. Doc. 254). To Appropriations Committee. (p. 9235.)

HOUSE

6. FARM LOANS. Passed with amendment S. 1688, to authorize the Secretary of Agriculture to adjust, compromise, or cancel certain indebtedness of farmers for seed-feed loans, for loans made through FSA, excessive AAA payments, etc. (pp. 9306-9). Agreed, 43-32, to Rep. Cochran's (Mo.) amendment to strike out the section requiring semi-annual reports to Congress regarding such cancellations, etc. (p. 9308).
7. ROAD-AUTHORIZATION BILL. Received the conference report on this bill, S. 2105 (pp. 9320-3).
The conferees adopted the House figure of \$500,000,000 (Senate, \$450,000,000). The amounts for forest highways (\$25,000,000) and forest development roads and trails (\$12,500,000) remain unchanged.
8. TRAVEL. Passed without amendment H. R. 4547, to permit compensation, on a mileage basis, of civilian officers or employees for the use of privately owned airplanes while traveling on official business (pp. 9325-6).
9. RECLAMATION. Discussed and, at the request of Rep. Barden, N. C., passed over H. R. 4932, to amend the Reclamation Project Act of 1939 so as to extend the time in which amendatory contracts may be made (pp. 9317-9).
10. FLOOD CONTROL. Received the conference report on H. R. 4485, the flood-control bill (pp. 9309-12).
The conferees recommended provisions:
For State approval in determining watershed development; for State review of War and Interior reports; and prohibiting the use of western waters in conflict with their beneficial consumptive use.
Authorizing Interior to dispose of excess electric energy generated at War Department reservoir projects,
For recognition of established laws and principles pertaining to water ownership in the Western States and storage of surplus water at War Department reservoirs.
To limit the authority of the Secretary of War to the issuance of instructions for release of Tennessee River water when floods threaten.
For "more effective administration in relation to the various technical features of the Federal reclamation laws" and to establish "a procedure for the utilization of multiple-purpose projects for irrigation purpose when the Secretary of War determines...that a project may be utilized for irrigation purposes."
For comprehensive plans for the development of the Missouri River Basin as proposed in S. Doc. 247, 78th Cong., and authorizations for \$200,000,000 for the Corps of Engineers and \$200,000,000 for the Secretary of the Interior for part of this work.
For reimbursement for levee rights-of-way at actual market value regardless of State law and limiting payments to local tax assessment valuations.
That in connection with Agriculture Department projects, land may be acquired, but only with the consent of the States and with payments in lieu of taxes.
For authorizations of Agriculture Department projects as follows:
Santa Ynez watershed, \$434,000
Trinity River Basin, \$32,000,000
- 11.

AUTHORIZATIONS FOR RESERVOIRS, LEVEES, AND FLOOD WALLS FOR FLOOD CONTROL

DECEMBER 11, 1944.—Ordered to be printed

Mr. WHITTINGTON, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 4485]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4485) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 27:

That the Senate recede from its amendment numbered 27.

Amendment numbered 30:

That the Senate recede from its amendment numbered 30.

Amendment numbered 36:

That the Senate recede from its amendment numbered 36.

Amendment numbered 39:

That the Senate recede from its amendment numbered 39.

Amendment numbered 44:

That the Senate recede from its amendment numbered 44.

Amendments numbered 87 and 88.

That the Senate recede from its amendments numbered 87 and 88.

Amendment numbered 91:

That the Senate recede from its amendment numbered 91.

Amendments numbered 2, 3, 4, 5, 6, and 7:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, and 7 and agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10 and agree to the same.

Amendments numbered 12, 13, 14, 15, 16, 17, and 18:

That the House recede from its disagreement to the amendments of the Senate numbered 12, 13, 14, 15, 16, 17, and 18 and agree to the same.

Amendments numbered 20, 21, 22, 23, 24, and 25:

That the House recede from its disagreement to the amendments of the Senate numbered 20, 21, 22, 23, 24, and 25, and agree to the same.

Amendments numbered 28 and 29:

That the House recede from its disagreement to the amendments of the Senate numbered 28 and 29 and agree to the same.

Amendments numbered 31 and 32:

That the House recede from its disagreement to the amendments of the Senate numbered 31 and 32 and agree to the same.

Amendments numbered 34 and 35:

That the House recede from its disagreement to the amendments of the Senate numbered 34 and 35 and agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38 and agree to the same.

Amendments numbered 40, 41, 42, and 43:

That the House recede from its disagreement to the amendments of the Senate numbered 40, 41, 42, and 43 and agree to the same.

Amendments numbered 45, 46, 47, 48, 49, 50, and 51:

That the House recede from its disagreement to the amendments of the Senate numbered 45, 46, 47, 48, 49, 50, and 51 and agree to the same.

Amendments numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81:

That the House recede from its disagreement to the amendments of the Senate numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81 and agree to the same.

Amendment numbered 84:

That the House recede from its disagreement to the amendment of the Senate numbered 84 and agree to the same.

Amendment numbered 90:

That the House recede from its disagreement to the amendment of the Senate numbered 90 and agree to the same.

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92 and agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94 and agree to the same.

Amendment numbered 1:

That the House reeede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows:

In said Senate amendment, on page 1, strike out lines 3 through 11 and on page 2, strike out lines 1 through 4; and the Senate agree to the same.

Amendment numbered 8:

That the House reeede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In said Senate amendment, on page 8, line 4, insert eommas after the word "generally" and after the word "eharge"; and the Senate agree to the same.

Amendment numbered 9:

That the House reeede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with amendments, as follows:

In said Senate amendment, on page 8, line 24, after the period insert the following: *Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years*; on page 9, line 2, before the word "to" insert the following: *from funds to be appropriated by the Congress*; line 2, strike out the word "and" and insert in lieu thereof the word *or*; line 2, after the word "acquire" insert the words *by purchase or other agreement*; line 8, after the period insert the words *All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts*; and the Senate agree to the same.

Amendment numbered 11:

That the House reeede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows:

In said Senate amendment, line 13, after the word "uses" insert the word *for*; and the Senate agree to the same.

Amendment numbered 19:

That the House reeede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with amendments, as follows:

In said Senate amendment, line 23, after the word "proseecuted" insert the words *on any project authorized in this Act to be constructed by the War Department*; page 14, line 11, strike out the word "herein" and after the word "authorized" insert the words *in this Act for construction by the War Department*; and the Senate agree to the same.

Amendment numbered 26:

That the House reeede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with amendments, as follows:

In said Senate amendment, line 17, after the word "provided" insert the words *that the Secretary of War determines that*; line 18, after the word "and" insert the word *that*; and the Senate agree to the same.

Amendment numbered 33:

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows:

In said Senate amendment, on page 21, strike out lines 10 through 25, and on page 22, strike out lines 1 and 2 and insert in lieu thereof the following: *Paragraph (d) of the Lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is hereby construed to authorize reimbursement for the actual market value of lands, rights-of-way, and easements, furnished subsequent to August 18, 1941, for set-backs of main-line Mississippi River levees, regardless of State laws limiting payments to local tax assessment valuations; and the Senate agree to the same.*

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In said Senate amendment, change the colon on line 17 to a period and strike out the remainder of that line and all of lines 18 and 19.

Amendment numbered 40½:

That the House recede from its disagreement to the amendment of the Senate numbered 40½, and agree to the same with an amendment, as follows:

In said Senate amendment, on line 3, strike out the words "his report of" and on line 4, strike out the words "November 16, 1944", and insert the words *House Document Numbered 802, Seventy-eighth Congress, Second Session;* and the Senate agree to the same.

Amendment numbered 52:

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with amendments, as follows:

In said Senate amendment, line 9, strike out the words "No provision of this or any other Act" and insert the words *Neither this authorization nor any previous authorization;* line 11, change the period to a comma and insert the following *pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939.*

And the Senate agree to the same.

Amendment numbered 82:

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with amendments, as follows:

In said Senate amendment, line 23, strike out the figures "\$959,465,000" and insert in lieu thereof the figures *\$950,000,000;* line 24 after the word "herein" insert the words *by the War Department;* and the Senate agree to the same.

Amendment numbered 83:

That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows:

In said Senate amendment, line 14, before the word "protection" insert the word *bank;* and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In said Senate amendment, line 17, delete the period after the word "government" and add the following: *until the legislature of the state in which the land lies shall have consented to the acquisition of lands by the United States for the purposes within the scope of this section: Provided further, That there shall be paid annually to the county in which any lands acquired under this section may lie, a sum equal to one per centum of the purchase price paid for the lands acquired in that county or, if not acquired by purchase, one per centum of their valuation at the time of their acquisition.*

And the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

In said Senate amendment, line 6, strike out the figures "\$418,000" and insert in lieu thereof the figures \$434,000; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In said Senate amendment, on page 52, line 2, strike out the figures "\$12,500,000" and insert in lieu thereof the figures \$21,700,000; and the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In said Senate amendment, line 10, strike out the figures "12" and insert in lieu thereof the figures 13; and the Senate agree to the same.

WILL M. WHITTINGTON,
A. LEONARD ALLEN,
A. J. ELLIOTT,
CHARLES R. CLASON,
CARL T. CURTIS,
Managers on the part of the House.

JOSIAH W. BAILEY,
JOHN H. OVERTON,
THEO. G. BILBO,
HAROLD H. BURTON,
OWEN BREWSTER,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,
Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4485) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes" submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

AMENDMENTS

Amendment No. 1: This amendment of the Senate as modified declares it to be the Federal policy to recognize the interest and rights of the States in determining the development of watersheds within their borders and their interests and rights in water utilization and control. It provides for review of reports of the Chief of Engineers and of the Secretary of the Interior by the State or States affected by the reports, and the comments of such affected States will become a part of the report when transmitted to Congress and published as a House or Senate document. In cases of plans or proposals concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, the written views and recommendations of the Secretary of the Interior also become a part of the report of the Chief of Engineers and the written views and recommendations of the Secretary of War become part of the report of the Secretary of the Interior. The amendment also provides that in connection with the operation and maintenance of projects authorized in this act, the use of waters of the Western States for navigation shall not conflict with beneficial consumptive use of the water for domestic, municipal, stock-water, irrigation, mining, or industrial purposes.

Amendment No. 2: This amendment of the Senate changes the designation of section 1 of the bill passed by the House to section 2 of the bill passed by the Senate.

Amendment No. 3: This amendment of the Senate changes the designation of section 2 of the bill passed by the House to section 3 of the bill passed by the Senate.

Amendment No. 4: This amendment of the Senate changes the designation of section 3 of the bill passed by the House to section 4 of the bill passed by the Senate.

Amendments Nos. 5, 6, and 7: These amendments of the Senate insert additional wording for clarification of the bill.

Amendment No. 8: This amendment of the Senate provides that preference in the granting of leases for the use of areas suitable for public park and recreational purposes shall be given to Federal, State, or local governmental agencies; that water areas shall be open to the general public without charge; and that no use of any area to which section 4 applies shall be permitted which is inconsistent with

the laws for the protection of fish and game of the state in which such area is situated.

Amendment No. 9: This amendment of the Senate, as modified, authorizes the Secretary of the Interior to dispose of electric energy generated at reservoir projects under control of the War Department not required in the operation of such projects; authorizes, from funds to be appropriated by the Congress, the construction, or acquisition by purchase or other agreement, of such transmission lines or related facilities as may be necessary in order to make the power and energy generated at such projects available in wholesale quantities on fair and reasonable terms and conditions; it establishes a preference in the sale of such power and energy to public bodies and cooperatives; and it provides that all moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts. It follows the formula previously established by law for the Bonneville project that rate schedules shall be drawn with regard to recovering to the Government the cost of producing and transmitting the electric energy, including the amortization of the capital investment allocated to power, over a reasonable period of years.

Amendment No. 10: This amendment of the Senate changes the designation of section 4 of the bill passed by the House to section 6 of the bill passed by the Senate.

Amendments Nos. 11 and 13: These amendments of the Senate recognize the established laws and principles pertaining to ownership of the waters in the Western States and clarifies the House-approved language by authorizing contracts for storage of surplus water at War Department reservoirs rather than sale of such water.

Amendment No. 12: This amendment of the Senate protects existing lawful uses of surplus water available at reservoirs under the control of the War Department.

Amendment No. 14: This amendment of the Senate changes the designation of section 5 of the bill passed by the House to section 7 of the bill passed by the Senate.

Amendment No. 15: This amendment of the Senate clarifies the bill by substituting the word "allocated" for "available".

Amendment No. 16: This amendment of the Senate defines and limits the authority of the Secretary of War with regard to the reservoirs under the jurisdiction of the Tennessee Valley Authority to only the issuing of instructions for release of water from the Tennessee River into the Ohio River at such times as there is danger from floods on the lower Ohio and Mississippi Rivers.

Amendment No. 17: This amendment of the Senate replaces section 6 of the House approved bill with certain modified language substantially as requested by the Secretary of the Interior and constitutes section 8 of the Senate approved bill. The Senate language will provide for more effective administration in relation to the various technical features of the Federal reclamation law. It establishes a procedure for the utilization of multiple-purpose projects for irrigation purposes when the Secretary of War determines upon recommendations of the Secretary of the Interior that a project operated under the direction of the Secretary of War may be utilized for irrigation purposes.

Amendment No. 18: This amendment of the Senate is a new section which authorizes the comprehensive plans for the development

of the Missouri River Basin proposed by the War Department and the Department of the Interior, as coordinated by the joint report of the Chief of Engineers and the Commissioner of Reclamation (Sc. Doc. No. 247 of the 78th Cong.), and it authorizes the appropriation of \$200,000,000 to be expended by the Corps of Engineers and \$200,000,000 to be expended by the Secretary of the Interior for the partial accomplishment of the works authorized in this section to be undertaken by the Corps of Engineers and by the Secretary of the Interior. This section replaces the item in the House-approved bill, which expanded the approved general comprehensive plan for flood control in the Missouri River Basin to include the work recommended by the Corps of Engineers and authorized an appropriation of \$200,000,000 for the partial accomplishment of that work. The Senate has recently accepted an amendment to the river and harbor bill (H. R. 3961) the effect of which is to provide duplicate authorization for the coordinated comprehensive plans for the Missouri River Basin. Such duplicate authority is undesirable and the Senate conferees have given assurances that if this conference report is approved by the House and Senate the duplicating item will be eliminated from the river and harbor bill.

Amendment No. 19: This amendment of the Senate, as modified, changes the designation of section 7 of the bill passed by the House to section 10 of the bill passed by the Senate; and clarifies the language in the House-approved bill to show that the authority for planning projects and for installation of penstocks applies to all projects authorized in this bill for the War Department and does not exclude War Department projects in the Missouri River Basin contained in an earlier section of the bill.

Amendment No. 20: This amendment of the Senate modifies the existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin to provide adequate spillway capacity for present design floods, at an estimated cost of \$2,120,000.

Amendment No. 21: This amendment of the Senate adds a title for an additional river basin; namely, the Blackstone River Basin.

Amendment No. 22: This amendment of the Senate authorizes the construction of the West Hill Reservoir on the West River in Massachusetts for flood control and other purposes, at an estimated cost of \$1,070,000.

Amendment No. 23: This amendment of the Senate authorizes a project on the Blackstone River for local flood protection at Worcester, Mass., by means of a diversion conduit and channel, at an estimated cost of \$2,232,000.

Amendment No. 24: This amendment of the Senate authorizes a project on the Blackstone River for local flood protection at Woonsocket, R. I., by means of channel improvement, at an estimated cost of \$803,000.

Amendment No. 25: This amendment of the Senate authorizes the project for local flood protection on the Seekonk River at Pawtucket, R. I., by means of levees for the protection of the city and adjacent areas, at an estimated cost of \$82,000.

Amendment No. 26: This amendment of the Senate authorizes the Army engineers to construct eight reservoirs in the West River Basin in Vermont instead of the flood-control reservoir authorized by existing law at the Williamsville site in the towns of Dummerston or Newfane, in accordance with an alternative plan submitted by the Vermont

State Water Conservation Board as that plan may be modified by agreement between the Board and the Secretary of War and the Chief of Engineers; provided that the total cost of the alternate plan as determined by the Secretary of War does not exceed the sum of \$11,000,000, and that 75 percent of the flood-control can be secured from that plan which may be secured from the Williamsville Reservoir. In the event that the eight-reservoir plan does not satisfy the above requirements, the Army engineers are authorized to proceed with the construction of the Williamsville project for flood control. The amendment also requires a further report and subsequent authorization by Congress before the projects at Cambridgeport, Ludlow, South Tunbridge, and Gaysville can be built. And it prohibits the construction of a dam or reservoir at the Sugar Hill site on the Ammonoosuc River under previous authority or that contained in this bill. It is understood that an alternate site is under study and if found feasible authority exists for initiation of such project.

Amendment No. 27: The conferees recommend that the Senate recede from this amendment which would have required a further report and subsequent authorization prior to the initiation of the House-approved project for the Thomaston Reservoir on the Naugatuck River for flood control in the Housatonic River Basin, Conn., at an estimated cost of \$5,151,000. If further study discloses that the project should be abandoned or modified extensively the Chief of Engineers will withhold initiation of construction.

Amendment No. 28: This amendment of the Senate eliminates the Raystown Reservoir on the Raystown Branch of the Juniata River, Pa., for flood control and other purposes, for which the House-approved bill authorized \$2,000,000 for the initiation and partial accomplishment.

Amendment No. 29: This amendment of the Senate approves a general plan for the long-range, comprehensive development of the Roanoke River Basin for flood control and other purposes, and authorizes the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina and the Philpott Reservoir on the Smith River in Virginia, at an estimated cost of \$36,140,000.

Amendment No. 30: The conferees recommend that the Senate recede from this amendment, thereby eliminating the Yadkin-Pee Dee project from the bill. It is expected that a restudy of the basin may be authorized by committee resolutions at a later date.

Amendment No. 31: This amendment of the Senate authorizes a project for the Edisto River Basin in South Carolina, consisting of channel and bank clearing along 43 miles of Edisto River and its north and south forks, at an estimated cost of \$139,000.

Amendment No. 32: This amendment of the Senate approves the general plan for the long-range, comprehensive development of the Savannah River Basin for flood control and other purposes and authorizes the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia, at an estimated cost of \$35,300,000. The river and harbor bill, H. R. 3961, as passed by the House contains an item for the Savannah River, the effect of which is to provide duplicate authorization for the Clark Hill Reservoir project. Such duplicate authority is undesirable and the Senate

conferees have given assurances that if this conference report is approved by the House and Senate the duplicating item will be eliminated from the river and harbor bill.

Amendment No. 33: Under the laws of the State of Louisiana and existing Federal laws, local interests in acquiring easements and levee rights-of-way may not pay more than the assessed value of the property, and the assessed value is usually lower than the actual market value. This amendment of the Senate establishes a construction of existing law to allow reimbursements for levee rights-of-way at actual market value regardless of State laws, limiting payments to local tax assessment valuations, thereby placing Louisiana and other States on the same basis for reimbursement.

Amendment No. 34: This amendment of the Senate authorizes local flood control and bank protection in the vicinity of Shreveport, La., at an estimated cost of \$3,000,000.

Amendment No. 35: This amendment of the Senate authorizes the Blakely Mountain Dam and Reservoir on the Ouachita River for flood control and other purposes, at an estimated cost of \$11,080,000.

Amendment No. 36: The conferees recommend that the Senate recede from this amendment, thereby eliminating the authority for modifying the project to include reservoirs upstream from Trinidad. The conferees agree that a modification of this magnitude should be undertaken only after full report by the Chief of Engineers and authorization by Congress. The appropriate investigation and report to Congress are now in progress.

Amendment No. 37: This amendment of the Senate as modified incorporates a project for the construction of the Red Rock Dam on the Des Moines River for flood control and other purposes into the approved general comprehensive plan for flood control in the upper Mississippi River Basin. The estimated cost of the Red Rock Dam and Reservoir on the Des Moines River is \$15,000,000. The modification agreed to by the conferees removes the rigid restriction on elevation of spillway crest. The Chief of Engineers will, within existing authority, make any modifications in the design needed to protect existing sewers and public facilities.

Amendment No. 38: This amendment of the Senate authorizes a project for local flood protection on the Des Moines River at the city of Des Moines, Iowa, by means of levees, at an estimated cost of \$270,000.

Amendment No. 39: The conferees recommend that the Senate recede from this amendment, thereby restoring the estimated cost of the project as contained in the bill passed by the House.

Amendment No. 40½: This amendment of the Senate as modified authorizes five small detention reservoirs for local flood control on Farm Creek, Ill. and for the protection of East Peoria, in accordance with the recommendations of the Chief of Engineers, at an estimated cost of \$3,017,900.

Amendment No. 40: This amendment of the Senate authorizes the construction of the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes at an estimated cost of \$810,000.

Amendment No. 41: This amendment of the Senate authorizes the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin in North Dakota, at an estimated cost of \$333,800.

Amendment No. 42: This amendment of the Senate authorizes the construction of a reservoir on the south branch of Park River for flood control and other purposes, at an estimated cost of \$358,610.

Amendment No. 43: This amendment of the Senate eliminates the language in the House-approved bill for the Missouri River Basin, which has been superseded by Senate amendment No. 18.

Amendment No. 44: The conferees recommend that the Senate recede from this amendment, thereby eliminating the language which would have removed the Tuttle Creek project from the comprehensive plan for the Missouri River Basin. The Chief of Engineers is now making an investigation of possible alternate projects and if feasible will recommend them as substitutes for Tuttle Creek. The conferees, however, in eliminating the amendment recognize the necessity for adequate reservoir control in the plan for protecting the Kansas Citys and leave the way open for selection of Tuttle Creek Reservoir if alternates are found to be infeasible.

Amendment No. 45: This amendment of the Senate authorizes a project for local flood protection on the Chariton River, Mo., consisting of channel and levee improvements, at an estimated cost of \$1,610,300.

Amendments Nos. 46, 47, 48, and 49. These amendments of the Senate expand the approved general comprehensive plan for flood control in the Ohio River Basin adopted by the act approved June 28, 1938, as modified by the act approved August 18, 1941, to include: (a) Improvement in the Kentucky River Basin, consisting of the construction of a cut-off at the north fork of Kentucky River at Jackson and local flood protection at that community, and the modification of the plan for the Jessamine Creek, and Booneville projects to include the development of hydroelectric power at these sites, all at an estimated cost of \$23,822,000; (b) local flood protection at Middlesborough on Yellow Creek, Ky., by means of supplemental levees, at an estimated cost of \$205,200; (c) local flood protection on the Rough River and tributaries, Kentucky, by means of clearing of the channel banks of the lower Rough River and channel improvement in the lower portion of Barnett Creek, a tributary of the Rough River, all at an estimated cost of \$360,000; and (d) the construction of the Turtle Creek Reservoir on Turtle Creek, Pa., for local flood protection in the lower Turtle Creek Valley, at an estimated cost of \$2,613,000.

Amendments Nos. 50 and 51: These amendments of the Senate eliminate from the bill the Rowlesburg Reservoir on the Cheat River and the improvement of the Youghiogheny River Basin which the House-approved bill placed into the comprehensive plan for flood control in the Ohio River Basin.

Amendment No. 52: This amendment of the Senate as modified provides that neither this authorization nor previous authorizations shall be construed to authorize the construction of the Shoals Dam on the east fork of the White River, Ind., pending congressional action subsequent to submission by the Chief of Engineers of the report on the Wabash River and tributaries now in progress under authority of the Flood Control Act of August 11, 1939.

Amendment No. 53: This amendment of the Senate authorizes the construction of the Mount Morris Reservoir on the Genesee River, N. Y., at an estimated cost of \$5,360,000.

Amendment No. 54: This amendment of the Senate authorizes the construction of local protection works at Redmond, Utah, on the Sevier River, by the construction of a leveed channel, at an estimated cost of \$281,000.

Amendment No. 55: This amendment of the Senate adds a title for an additional river basin; namely, the Colorado River Basin.

Amendment No. 56: This amendment of the Senate authorizes the construction of the Alamo Reservoir on the Bill Williams River in Arizona, at an estimated cost of \$3,202,000.

Amendment No. 57: This amendment of the Senate authorizes the project on Little Colorado River for local flood protection at Holbrook, Ariz., by means of levees, at an estimated cost of \$258,000.

Amendment No. 58: This amendment of the Senate authorizes the construction of local flood protection on the Pajaro River and tributaries, California, by means of levees and bank protection works along the lower Pajaro River and on Carnadero Creek at Gilroy, at an estimated cost of \$511,160.

Amendment No. 59: This amendment of the Senate modifies the language of the House-approved item, based on the report of the Board of Engineers for River and Harbors, to reflect the views and recommendations of the Chief of Engineers which became available subsequent to the passage of this item by the House.

Amendment No. 60: This amendment of the Senate authorizes the construction of the Folsom Reservoir on the American River in California, at an estimated cost of \$18,474,000. The Folsom project will control flood peaks on the American River and thereby reduce the threat to the city of Sacramento resulting from an uncontrolled flood on the American River synchronized with a major flood crest on the Sacramento River.

Amendment No. 61: This amendment of the Senate authorizes improvements in the Calaveras River and Littlejohn Creek Stream Group consisting of the Farmington Reservoir on Littlejohn Creek; channel enlargements, diversions and dikes; and enlargement of Hogan Reservoir, all at an estimated cost of \$3,868,200.

Amendment No. 62: This amendment of the Senate authorizes construction of the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin in California, at an estimated cost of \$460,000.

Amendment No. 63: This amendment of the Senate authorizes local flood protection in the Chehalis River at Aberdeen, Hoquiam, and Cosmopolis, by means of earth levees, concrete sheet piling, walls, and appurtenant works, at an estimated cost of \$669,000.

Amendment No. 64: This amendment of the Senate authorizes the construction of local flood-protection works at Hanapepe on the Hanapepe River in the Territory of Hawaii, by means of concrete flood walls, at an estimated cost of \$73,000.

Amendment No. 65: This amendment of the Senate changes the designation of section 8 of the bill passed by the House to section 11 of the bill passed by the Senate.

Amendments Nos. 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, and 80: These amendments of the Senate authorize preliminary examinations and surveys of certain streams not in the bill passed by the House.

Amendment No. 67: This amendment of the Senate clarifies an item for a preliminary examination and survey.

Amendment No. 81: This amendment of the Senate changes the designation of section 9 of the bill passed by the House to section 12 of the bill passed by the Senate.

Amendment No. 82: This amendment of the Senate as modified raises to \$950,000,000 (increase of \$140,000,000) the authorization provided by the bill, in order that sufficient authority may be available to cover the additional improvements included in the bill by Senate amendments and it clarifies the intent of this authorization to show clearly that the amount specified is for work authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers. The \$200,000,000 authorization for War Department projects in the Missouri River Basin is included in this amount. The \$200,000,000 authorization for Department of the Interior projects in the Missouri River Basin is contained in section 9 and is not included in this amount.

Amendment No. 83: This amendment of the Senate as modified authorizes the expenditure of \$500,000 as an emergency fund under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction of emergency bank-protection works to prevent flood damage to highways, bridge approaches, and public works.

Amendment No. 84: This amendment of the Senate changes the designation of section 10 of the bill passed by the House to section 13 of the bill passed by the Senate.

Amendment No. 85: This amendment of the Senate as modified provides that in connection with the works authorized to be undertaken by the Department of Agriculture land may be acquired only with the consent of the States and it lessens the burden on local communities of removal of large areas from taxation by providing for payments to local governments in lieu of taxes on the land acquired.

Amendment No. 86: This amendment of the Senate as modified authorizes works of improvement in the Santa Ynez River watershed to be undertaken by the Department of Agriculture, at an estimated cost of \$434,000. The increased amount is to cover land acquisition as recommended by the Department of Agriculture in House Document No. 518.

Amendment No. 87: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$32,000,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 708.

Amendment No. 88: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$4,221,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 892.

Amendment No. 89: This amendment of the Senate, as modified, authorizes works of improvement in the Yazoo River watershed to be undertaken by the Department of Agriculture, at an estimated cost of \$21,700,000. The increased amount is to cover land acquisition as recommended by the Department of Agriculture in House Document No. 564.

Amendment No. 90: This amendment of the Senate authorizes works of improvement in the watershed of Buffalo Creek and its tributaries, Cayuga and Cazenovia Creeks to be undertaken by the Department of Agriculture, at an estimated cost of \$739,000.

Amendment No. 91: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$11,243,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 275.

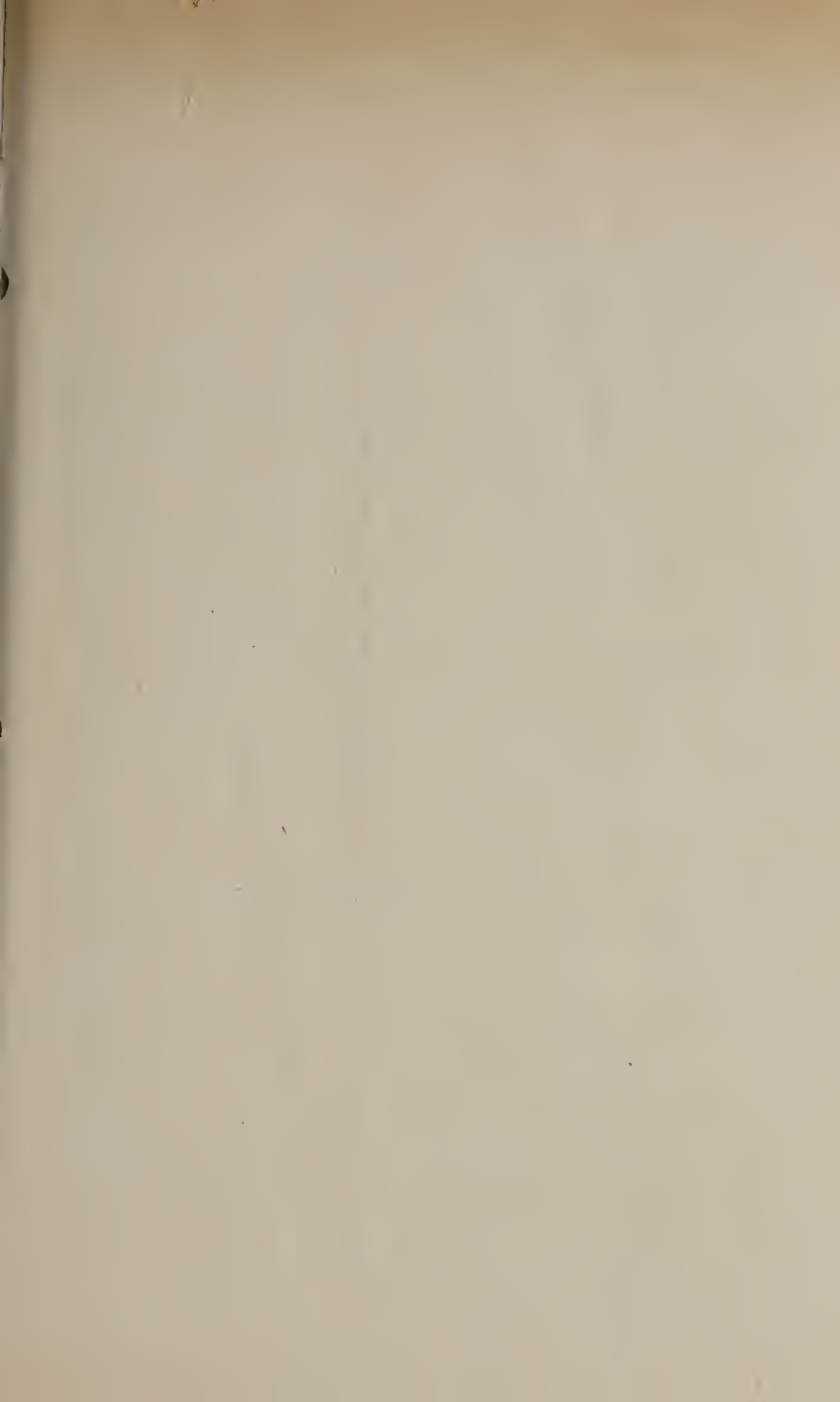
Amendment No. 92: This amendment of the Senate changes the designation of section 11 of the bill passed by the House to section 14 of the bill passed by the Senate.

Amendment No. 93: This amendment of the Senate as modified changes the reference to a number of a section in the bill passed by the House to the corresponding number of the section of the bill as passed by the Senate.

Amendment No. 94: This amendment of the Senate changes the designation of section 12 of the bill passed by the House to section 15 of the bill passed by the Senate.

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Managers on the Part of the House.





time, and passed, and a motion to reconsider was laid on the table.

FLOOD CONTROL, PUBLIC WORKS

Mr. WHITTINGTON submitted the following conference report and statement on the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4485) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 27: That the Senate recede from its amendment numbered 27.

Amendment numbered 30: That the Senate recede from its amendment numbered 30.

Amendment numbered 36: That the Senate recede from its amendment numbered 36.

Amendment numbered 39: That the Senate recede from its amendment numbered 39.

Amendment numbered 44: That the Senate recede from its amendment numbered 44.

Amendments numbered 87 and 88: That the Senate recede from its amendments numbered 87 and 88.

Amendment numbered 91: That the Senate recede from its amendment numbered 91.

Amendments numbered 2, 3, 4, 5, 6 and 7: That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6 and 7 and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10 and agree to the same.

Amendments numbered 12, 13, 14, 15, 16, 17 and 18: That the House recede from its disagreement to the amendments of the Senate numbered 12, 13, 14, 15, 16, 17 and 18 and agree to the same.

Amendments numbered 20, 21, 22, 23, 24 and 25: That the House recede from its disagreement to the amendments of the Senate numbered 20, 21, 22, 23, 24 and 25 and agree to the same.

Amendments numbered 28 and 29: That the House recede from its disagreement to the amendments of the Senate numbered 28 and 29 and agree to the same.

Amendments numbered 31 and 32: That the House recede from its disagreement to the amendments of the Senate numbered 31 and 32 and agree to the same.

Amendments numbered 34 and 35: That the House recede from its disagreement to the amendments of the Senate numbered 34 and 35 and agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38 and agree to the same.

Amendments numbered 40, 41, 42, and 43: That the House recede from its disagreement to the amendments of the Senate numbered 40, 41, 42 and 43 and agree to the same.

Amendments numbered 45, 46, 47, 48, 49, 50 and 51: That the House recede from its disagreement to the amendments of the Senate numbered 45, 46, 47, 48, 49, 50 and 51 and agree to the same.

Amendments numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81: That the House recede from its disagreement to the amendments of the Senate numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80 and 81 and agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amend-

ment of the Senate numbered 84 and agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90 and agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92 and agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In said Senate amendment, on page 1, strike out lines 3 through 11 and on page 2, strike out lines 1 through 4; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In said Senate amendment, on page 8, line 4, insert commas after the word "generally" and after the word "charge"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with amendments, as follows: In said Senate amendment, on page 8, line 24, after the period insert the following: "Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years"; on page 9, line 2, before the word "to" insert the following: "from funds to be appropriated by the Congress"; line 2, strike out the word "and" and insert in lieu thereof the word "or"; line 2, after the word "acquire" insert the words "by purchase or other agreement"; line 8, after the period insert the words "All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts", and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In said Senate amendment, line 13, after the word "uses" insert the word "for"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with amendments, as follows: In said Senate amendment, line 23, after the word "prosecuted" insert the words "on any project authorized in this Act to be constructed by the War Department"; page 14, line 11, strike out the word "herein" and after the word "authorized" insert the words "in this Act for construction by the War Department"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with amendments, as follows: In said Senate amendment, line 17, after the word "provided" insert the words "that the Secretary of War determines that"; line 18, after the word "and" insert the word "that"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In said Senate amendment, on page 21, strike out lines 10 through 25, and on page 22, strike out lines 1 and 2 and insert in

lieu thereof the following: "Paragraph (d) of the Lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is hereby construed to authorize reimbursement for the actual market value of lands, rights-of-way, and easements, furnished subsequent to August 18, 1941, for setbacks of main-line Mississippi River levees, regardless of state laws limiting payments to local tax assessment valuations"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In said Senate amendment, change the colon on line 17 to a period and strike out the remainder of that line and all of lines 18 and 19.

Amendment numbered 40½: That the House recede from its disagreement to the amendment of the Senate numbered 40½, and agree to the same with an amendment, as follows: In said Senate amendment, on line 3, strike out the words "his report of" and on line 4, strike out the words "November 16, 1944", and insert the words "House Document Numbered 802, Seventy-eighth Congress, Second Session,"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with amendments, as follows: In said Senate amendment, line 9, strike out the words "No provision of this or any other Act" and insert the words "Neither this authorization nor any previous authorization"; line 11, change the period to a comma and insert the following "pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939."; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with amendments, as follows: In said Senate amendment, line 23, strike out the figures "\$959,465,000" and insert in lieu thereof the figures "\$950,000,000"; line 24, after the word "herein" insert the words "by the War Department"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In said Senate amendment, line 14, before the word "protection" insert the word "bank"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In said Senate amendment, line 17, delete the period after the word "government" and add the following: "until the legislature of the state in which the land lies shall have consented to the acquisition of lands by the United States for the purposes within the scope of this section; provided further that there shall be paid annually to the county in which any lands acquired under this section may lie, a sum equal to one per centum of the purchase price paid for the lands acquired in that county or, if not acquired by purchase, one per centum of their valuation at the time of their acquisition."; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In said Senate amendment, line 6, strike out the figures "\$418,000" and insert in lieu thereof the figures "\$434,000"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

In said Senate amendment, on page 52, line 2, strike out the figures "\$12,500,000" and insert in lieu thereof the figures "\$21,700,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows: In said Senate amendment, line 10, strike out the figures "12" and insert in lieu thereof the figures "13"; and the Senate agree to the same.

WILL M. WHITTINGTON,
A. LEONARD ALLEN,
A. J. ELLIOTT,
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CARL T. CURTIS,

Managers on the Part of the House.

JOSIAH W. BAILEY,
JOHN H. OVERTON,
THEO G. BILBO,
HAROLD H. BURTON,
OWEN BREWSTER,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4485) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes" submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

AMENDMENTS

Amendment No. 1: This amendment of the Senate as modified declares it to be the Federal policy to recognize the interest and rights of the States in determining the development of watersheds within their borders and their interests and rights in water utilization and control. It provides for review of reports of the Chief of Engineers and of the Secretary of the Interior by the State or States affected by the reports, and the comments of such affected States will become a part of the report when transmitted to Congress and published as a House or Senate document. In cases of plans or proposals concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, the written views and recommendations of the Secretary of the Interior also become a part of the report of the Chief of Engineers and the written views and recommendations of the Secretary of War become part of the report of the Secretary of the Interior. The amendment also provides that in connection with the operation and maintenance of projects authorized in this act, the use of waters of the western States for navigation shall not conflict with beneficial consumptive use of the water for domestic, municipal, stock-water, irrigation, mining, or industrial purposes.

Amendment No. 2: This amendment of the Senate changes the designation of section 1 of the bill passed by the House to section 2 of the bill passed by the Senate.

Amendment No. 3: This amendment of the Senate changes the designation of section 2 of the bill passed by the House to section 3 of the bill passed by the Senate.

Amendment No. 4: This amendment of the Senate changes the designation of section 3 of the bill passed by the House to section 4 of the bill passed by the Senate.

Amendments Nos. 5, 6, and 7: These amendments of the Senate insert additional wording for clarification of the bill.

Amendment No. 8: This amendment of the Senate provides that preference in the granting of leases for the use of areas suitable for public park and recreational purposes shall

be given to Federal, State, or local governmental agencies; that water areas shall be open to the general public without charge; and that no use of any area to which section 4 applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated.

Amendment No. 9: This amendment of the Senate, as modified, authorizes the Secretary of the Interior to dispose of electric energy generated at reservoir projects under control of the War Department not required in the operation of such projects; authorizes, from funds to be appropriated by the Congress, the construction, or acquisition by purchase or other agreement, of such transmission lines or related facilities as may be necessary in order to make the power and energy generated at such projects available in wholesale quantities on fair and reasonable terms and conditions; it establishes a preference in the sale of such power and energy to public bodies and cooperatives; and it provides that all moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts. It follows the formula previously established by law for the Bonneville project that rate schedules shall be drawn with regard to recovering to the Government the cost of producing and transmitting the electric energy, including the amortization of the capital investment allocated to power, over a reasonable period of years.

Amendment No. 10: This amendment of the Senate changes the designation of section 4 of the bill passed by the House to section 6 of the bill passed by the Senate.

Amendments Nos. 11 and 13: These amendments of the Senate recognize the established laws and principles pertaining to ownership of the waters in the Western States and clarifies the House-approved language by authorizing contracts for storage of surplus water at War Department reservoirs rather than sale of such water.

Amendment No. 12: This amendment of the Senate protects existing lawful uses of surplus water available at reservoirs under the control of the War Department.

Amendment No. 14: This amendment of the Senate changes the designation of section 5 of the bill passed by the House to section 7 of the bill passed by the Senate.

Amendment No. 15: This amendment of the Senate clarifies the bill by substituting the word "allocated" for "available".

Amendment No. 16: This amendment of the Senate defines and limits the authority of the Secretary of War with regard to the reservoirs under the jurisdiction of the Tennessee Valley Authority to only the issuing of instructions for release of water from the Tennessee River into the Ohio River at such times as there is danger from floods on the lower Ohio and Mississippi Rivers.

Amendment No. 17: This amendment of the Senate replaces section 6 of the House approved bill with certain modified language substantially as requested by the Secretary of the Interior and constitutes section 8 of the Senate approved bill. The Senate language will provide for more effective administration in relation to the various technical features of the Federal reclamation law. It establishes a procedure for the utilization of multiple-purpose projects for irrigation purposes when the Secretary of War determines upon recommendations of the Secretary of the Interior that a project operated under the direction of the Secretary of War may be utilized for irrigation purposes.

Amendment No. 18: This amendment of the Senate is a new section which authorizes the comprehensive plans for the development of the Missouri River Basin proposed by the War Department and the Department of the Interior, as coordinated by the joint report of the Chief of Engineers and the Commissioner of Reclamation (S. Doc. No. 247 of

the 78th Cong.), and it authorizes the appropriation of \$200,000,000 to be expended by the Corps of Engineers and \$200,000,000 to be expended by the Secretary of the Interior for the partial accomplishment of the works authorized in this section to be undertaken by the Corps of Engineers and by the Secretary of the Interior. This section replaces the item in the House-approved bill, which expanded the approved general comprehensive plan for flood control in the Missouri River Basin to include the work recommended by the Corps of Engineers and authorized an appropriation of \$200,000,000 for the partial accomplishment of that work. The Senate has recently accepted an amendment to the river and harbor bill (H. R. 3961) the effect of which is to provide duplicate authorization for the coordinated comprehensive plans for the Missouri River Basin. Such duplicate authority is undesirable and the Senate conferees have given assurances that if this conference report is approved by the House and Senate the duplicating item will be eliminated from the river and harbor bill.

Amendment No. 19: This amendment of the Senate, as modified, changes the designation of section 7 of the bill passed by the House to section 10 of the bill passed by the Senate; and clarifies the language in the House-approved bill to show that the authority for planning projects and for installation of penstocks applies to all projects authorized in this bill for the War Department and does not exclude War Department projects in the Missouri River Basin contained in an earlier section of the bill.

Amendment No. 20: This amendment of the Senate modifies the existing Waterbury, Wrightsville, and East Barre Dams in the Winooksi River Basin to provide adequate spillway capacity for present design floods, at an estimated cost of \$2,120,000.

Amendment No. 21: This amendment of the Senate adds a title for an additional river basin; namely, the Blackstone River Basin.

Amendment No. 22: This amendment of the Senate authorizes the construction of the West Hill Reservoir on the West River in Massachusetts for flood control and other purposes, at an estimated cost of \$1,070,000.

Amendment No. 23: This amendment of the Senate authorizes a project on the Blackstone River for local flood protection at Worcester, Mass., by means of a diversion conduit and channel, at an estimated cost of \$2,232,000.

Amendment No. 24: This amendment of the Senate authorizes a project on the Blackstone River for local flood protection at Woonsocket, R. I., by means of channel improvement, at an estimated cost of \$803,000.

Amendment No. 25: This amendment of the Senate authorizes the project for local flood protection on the Seekonk River at Pawtucket, R. I., by means of levees for the protection of the city and adjacent areas, at an estimated cost of \$82,000.

Amendment No. 26: This amendment of the Senate authorizes the Army engineers to construct eight reservoirs in the West River Basin in Vermont instead of the flood-control reservoir authorized by existing law at the Williamsville site in the towns of Dummerston or Newfane, in accordance with an alternative plan submitted by the Vermont State Water Conservation Board as that plan may be modified by agreement between the board and the Secretary of War and the Chief of Engineers; provided that the total cost of the alternate plan as determined by the Secretary of War does not exceed the sum of \$11,000,000, and that 75 percent of the flood control can be secured from that plan which may be secured from the Williamsville Reservoir. In the event that the eight-reservoir plan does not satisfy the above requirements, the Army engineers are authorized to proceed with the construction of the Williams-

ville project for flood control. The amendment also requires a further report and subsequent authorization by Congress before the projects at Cambridgeport, Ludlow, South Tunbridge, and Gaysville can be built. And it prohibits the construction of a dam or reservoir at the Sugar Hill site on the Ammonoosuc River under previous authority or that contained in this bill. It is understood that an alternate site is under study and if found feasible authority exists for initiation of such project.

Amendment No. 27: The conferees recommend that the Senate recede from this amendment which would have required a further report and subsequent authorization prior to the initiation of the House-approved project for the Thomaston Reservoir on the Naugatuck River for flood control in the Housatonic River Basin, Conn., at an estimated cost of \$5,151,000. If further study discloses that the project should be abandoned or modified extensively the Chief of Engineers will withhold initiation of construction.

Amendment No. 28: This amendment of the Senate eliminates the Raystown Reservoir on the Raystown branch of the Juniata River, Pa., for flood control and other purposes, for which the House-approved bill authorized \$2,000,000, for the initiation and partial accomplishment.

Amendment No. 29: This amendment of the Senate approves a general plan for the long range comprehensive development of the Roanoke River Basin for flood control and other purposes, and authorizes the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina and the Philpott Reservoir on the Smith River in Virginia, at an estimated cost of \$36,140,000.

Amendment No. 30: The conferees recommend that the Senate recede from this amendment, thereby eliminating the Yadkin-Pee Dee project from the bill. It is expected that a restudy of the basin may be authorized by committee resolutions at a later date.

Amendment No. 31: This amendment of the Senate authorizes a project for the Edisto River Basin in South Carolina, consisting of channel and bank clearing along 43 miles of Edisto River and its north and south forks, at an estimated cost of \$139,000.

Amendment No. 32: This amendment of the Senate approves the general plan for the long-range comprehensive development of the Savannah River Basin for flood control and other purposes and authorizes the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia, at an estimated cost of \$35,300,000. The rivers and harbors bill, H. R. 3961, as passed by the House contains an item for the Savannah River, the effect of which is to provide duplicate authorization for the Clark Hill Reservoir project. Such duplicate authority is undesirable and the Senate conferees have given assurances that if this conference report is approved by the House and Senate the duplicating item will be eliminated from the river and harbor bill.

Amendment No. 33: Under the laws of the State of Louisiana and existing Federal laws, local interests in acquiring easements and levee rights-of-way may not pay more than the assessed value of the property, and the assessed value is usually lower than the actual market value. This amendment of the Senate establishes a construction of existing law to allow reimbursements for levee rights-of-way at actual market value regardless of State laws, limiting payments to local tax assessment valuations, thereby placing Louisiana and other States on the same basis for reimbursement.

Amendment No. 34: This amendment of the Senate authorizes local flood control and bank protection in the vicinity of Shreveport, La., at an estimated cost of \$3,000,000.

Amendment No. 35: This amendment of the Senate authorizes the Blakely Mountain Dam and Reservoir on the Ouchita River for flood control and other purposes, at an estimated cost of \$11,080,000.

Amendment No. 36: The conferees recommend that the Senate recede from this amendment, thereby eliminating the authority for modifying the project to include reservoirs upstream from Trinidad. The conferees agree that a modification of this magnitude should be undertaken only after full report by the Chief of Engineers and authorization by Congress. The appropriate investigation and report to Congress are now in progress.

Amendment No. 37: This amendment of the Senate as modified incorporates a project for the construction of the Red Rock Dam on the Des Moines River for flood control and other purposes into the approved general comprehensive plan for flood control in the upper Mississippi River Basin. The estimated cost of the Red Rock Dam and Reservoir on the Des Moines River is \$15,000,000. The modification agreed to by the conferees removes the rigid restriction on elevation of spillway crest. The Chief of Engineers will, within existing authority, make any modifications in the design needed to protect existing sewers and public facilities.

Amendment No. 38: This amendment of the Senate authorizes a project for local flood protection on the Des Moines River at the city of Des Moines, Iowa, by means of levees, at an estimated cost of \$270,000.

Amendment No. 39: The conferees recommend that the Senate recede from this amendment, thereby restoring the estimated cost of the project as contained in the bill passed by the House.

Amendment No. 40½: This amendment of the Senate as modified authorizes five small detention reservoirs for local flood control on Farm Creek, Ill., and for the protection of East Peoria, in accordance with the recommendations of the Chief of Engineers, at an estimated cost of \$3,017,900.

Amendment No. 40: This amendment of the Senate authorizes the construction of the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes at an estimated cost of \$810,000.

Amendment No. 41: This amendment of the Senate authorizes the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin in North Dakota, at an estimated cost of \$333,800.

Amendment No. 42: This amendment of the Senate authorizes the construction of a reservoir on the south branch of Park River for flood control and other purposes, at an estimated cost of \$358,610.

Amendment No. 43: This amendment of the Senate eliminates the language in the House-approved bill for the Missouri River Basin, which has been superseded by Senate amendment No. 18.

Amendment No. 44: The conferees recommend that the Senate recede from this amendment, thereby eliminating the language which would have removed the Tuttle Creek project from the comprehensive plan for the Missouri River Basin. The Chief of Engineers is now making an investigation of possible alternate projects and if feasible will recommend them as substitutes for Tuttle Creek. The conferees, however, in eliminating the amendment recognize the necessity for adequate reservoir control in the plan for protecting the Kansas Citys and leave the way open for selection of Tuttle Creek Reservoir if alternates are found to be infeasible.

Amendment No. 45: This amendment of the Senate authorizes a project for local flood protection on the Chariton River, Mo., consisting of channel and levee improvements, at an estimated cost of \$1,610,300.

Amendments Nos. 46, 47, 48, and 49: These amendments of the Senate expand the approved general comprehensive plan for flood control in the Ohio River Basin adopted by the act approved June 28, 1938, as modified by the act approved August 18, 1941, to include: (a) Improvement in the Kentucky River Basin, consisting of the construction of a cut-off at the north fork of Kentucky River at Jackson and local flood protection at that community, and the modification of the plan for the Jessamine Creek, and Booneville projects to include the development of hydroelectric power at these sites, all at an estimated cost of \$23,822,000; (b) local flood protection at Middlesborough on Yellow Creek, Ky., by means of supplemental levees, at an estimated cost of \$205,200; (c) local flood protection on the Rough River and tributaries, Kentucky, by means of clearing of the channel banks of the lower Rough River and channel improvement in the lower portion of Barnett Creek, a tributary of the Rough River, all at an estimated cost of \$360,000; and (d) the construction of the Turtle Creek Reservoir on Turtle Creek, Pa., for local flood protection in the lower Turtle Creek Valley, at an estimated cost of \$2,613,000.

Amendments Nos. 50 and 51: These amendments of the Senate eliminate from the bill the Rowlesburg Reservoir on the Cheat River and the improvement of the Youghiogheny River Basin which the House-approved bill placed into the comprehensive plan for flood control in the Ohio River Basin.

Amendment No. 52: This amendment of the Senate, as modified, provides that neither this authorization nor previous authorizations shall be construed to authorize the construction of the Shoals Dam on the east fork of the White River, Indiana, pending congressional action subsequent to submission by the Chief of Engineers of the report on the Wabash River and tributaries now in progress under authority of the Flood Control Act of August 11, 1939.

Amendment No. 53: This amendment of the Senate authorizes the construction of the Mount Morris Reservoir, on the Genesee River, N. Y., at an estimated cost of \$5,360,000.

Amendment No. 54: This amendment of the Senate authorizes the construction of local protection works at Redmond, Utah, on the Sevier River, by the construction of a leveed channel, at an estimated cost of \$281,000.

Amendment No. 55: This amendment of the Senate adds a title for an additional river basin, namely, the Colorado River Basin.

Amendment No. 56: This amendment of the Senate authorizes the construction of the Alamo Reservoir on the Bill Williams River in Arizona, at an estimated cost of \$3,202,000.

Amendment No. 57: This amendment of the Senate authorizes the project on Little Colorado River for local flood protection at Holbrook, Ariz., by means of levees, at an estimated cost of \$258,000.

Amendment No. 58: This amendment of the Senate authorizes the construction of local flood protection on the Pajaro River and tributaries, California, by means of levees and bank protection works along the lower Pajaro River and on Carnadero Creek at Gilroy, at an estimated cost of \$511,160.

Amendment No. 59: This amendment of the Senate modifies the language of the House-approved item, based on the report of the Board of Engineers for Rivers and Harbors, to reflect the views and recommendations of the Chief of Engineers which became available subsequent to the passage of this item by the House.

Amendment No. 60: This amendment of the Senate authorizes the construction of the Folsom Reservoir on the American River in California, at an estimated cost of \$18,474,000. The Folsom project will control flood peaks on the American River and thereby reduce

the threat to the city of Sacramento resulting from an uncontrolled flood on the American River synchronized with a major flood crest on the Sacramento River.

Amendment No. 61: This amendment of the Senate authorizes improvements in the Calaveras River and Littlejohn Creek stream group consisting of the Farmington Reservoir on Littlejohn Creek; channel enlargements, diversions and dikes; and enlargement of Hogan Reservoir, all at an estimated cost of \$3,868,200.

Amendment No. 62: This amendment of the Senate authorizes construction of the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin in California, at an estimated cost of \$460,000.

Amendment No. 63: This amendment of the Senate authorizes local flood protection in the Chehalis River at Aberdeen, Hoquiam, and Cosmopolis, by means of earth levees, concrete sheet piling, walls, and appurtenant works, at an estimated cost of \$669,000.

Amendment No. 64: This amendment of the Senate authorizes the construction of local flood protection works at Hanapepe on the Hanapepe River in the Territory of Hawaii, by means of concrete flood walls, at an estimated cost of \$73,000.

Amendment No. 65: This amendment of the Senate changes the designation of section 8 of the bill passed by the House to section 11 of the bill passed by the Senate.

Amendments Nos. 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, and 80: These amendments of the Senate authorize preliminary examinations and surveys of certain streams not in the bill passed by the House.

Amendment No. 67: This amendment of the Senate clarifies an item for a preliminary examination and survey.

Amendment No. 81: This amendment of the Senate changes the designation of section 9 of the bill passed by the House to section 12 of the bill passed by the Senate.

Amendment No. 82: This amendment of the Senate as modified raises to \$950,000,000 (increase of \$140,000,000) the authorization provided by the bill, in order that sufficient authority may be available to cover the additional improvements included in the bill by Senate amendments and it clarifies the intent of this authorization to show clearly that the amount specified is for work authorized to be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers. The \$200,000,000 authorization for War Department projects in the Missouri River Basin is included in this amount. The \$200,000,000 authorization for Department of the Interior projects in the Missouri River Basin is contained in section 9 and is not included in this amount.

Amendment No. 83: This amendment of the Senate as modified authorizes the expenditure of \$500,000 as an emergency fund under the direction of the Secretary of War and the supervision of the Chief of Engineers, for the construction of emergency bank-protection works to prevent flood damage to highways, bridge approaches, and public works.

Amendment No. 84: This amendment of the Senate changes the designation of section 10 of the bill passed by the House to section 13 of the bill passed by the Senate.

Amendment No. 85: This amendment of the Senate as modified provides that in connection with the works authorized to be undertaken by the Department of Agriculture land may be acquired only with the consent of the States and it lessens the burden on local communities of removal of large areas from taxation by providing for payments to local governments in lieu of taxes on the land acquired.

Amendment No. 86: This amendment of the Senate as modified authorizes works of improvement in the Santa Ynez River water-

shed to be undertaken by the Department of Agriculture, at an estimated cost of \$434,000. The increased amount is to cover land acquisition as recommended by the Department of Agriculture in House Document No. 518.

Amendment No. 87: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$32,000,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 708.

Amendment No. 88: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$4,221,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 892.

Amendment No. 89: This amendment of the Senate, as modified, authorizes works of improvement in the Yazoo River watershed to be undertaken by the Department of Agriculture, at an estimated cost of \$21,700,000. The increased amount is to cover land acquisition as recommended by the Department of Agriculture in House Document No. 564.

Amendment No. 90: This amendment of the Senate authorizes works of improvement in the watershed of Buffalo Creek and its tributaries, Cayuga and Cazenovia Creeks to be undertaken by the Department of Agriculture, at an estimated cost of \$739,000.

Amendment No. 91: The conferees recommend that the Senate recede from this amendment, thereby restoring the full amount of the estimated cost (\$11,234,000) including cost of land acquisition as recommended by the Department of Agriculture in House Document No. 275.

Amendment No. 92: This amendment of the Senate changes the designation of section 11 of the bill passed by the House to section 14 of the bill passed by the Senate.

Amendment No. 93: This amendment of the Senate as modified changes the reference to a number of a section in the bill passed by the House to the corresponding number of the section of the bill as passed by the Senate.

Amendment No. 94: This amendment of the Senate changes the designation of section 12 of the bill passed by the House to section 15 of the bill passed by the Senate.

WILL M. WHITTINGTON,
A. LEONARD ALLEN,
A. J. ELLIOTT,
CHARLES R. CLASON,
CARL T. CURTIS,

Managers on the part of the House.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the next bill on the Consent Calendar.

EXCHANGE OF LANDS, COLORADO

The Clerk called the bill (H. R. 5409) for the exchange of lands adjacent to the Pike National Forest, in Colorado.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of March 20, 1922 (42 Stat. L. 465; U. S. C., title 16, sec. 485), entitled "An act to consolidate national forest lands," and the provisions of the act of February 28, 1925 (43 Stat. L. 1090; U. S. C., title 16, sec. 486), entitled "An act to amend an act entitled 'An act to consolidate national forest lands,'" and acts amendatory thereto, are hereby extended to include any suitable offered lands within township 11 south, range 69 west, sixth principal meridian, lying within the State of Colorado, adjacent to the Pike National Forest. Lands conveyed to the United States under this act shall, upon acceptance of title, become parts of the national forest nearest to which they are situated, and shall

thereafter be subject to the laws, rules, and regulations applicable to said national forest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 502 (a) OF THE AGRICULTURAL ORGANIC ACT OF 1944

The Clerk called the bill (H. R. 5566) to amend section 502 (a) of the Department of Agriculture Organic Act of 1944.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, in view of the fact that this bill would operate to cause the United States Treasury to surrender certain annual income, I suggest that a member of the committee explain the bill.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Mississippi.

Mr. RANKIN. I shall be glad to explain it.

This bill was introduced by the gentleman from Tennessee [Mr. McCord] who has gone home to make arrangements for entering upon his duties as Governor of the State of Tennessee. Mr. McCord consulted me about this matter and we went over it carefully. We also went over it with a representative of the Rural Electrification Administration. The situation is this: When rural electrification began in the Tennessee Valley area, I organized the first cooperative power associations in my own district. The rest of the area followed our example and the Tennessee Valley Authority made loans to those associations to build rural power lines. Later, the R. E. A. was created, and all future loans were made through that agency. Recently a law was passed reducing the interest rate on those loans to 2 percent, and this bill simply permits those associations that have been borrowing through the Tennessee Valley Authority to switch those loans to the R. E. A. and get the T. V. A. out of the loaning business.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. I yield to the gentleman from Tennessee.

Mr. JENNINGS. The members of this association are, for the most part, farmers, are they not?

Mr. RANKIN. Yes; practically all of them.

Mr. JENNINGS. And these associations carry the electricity out to the farms? And this bill puts these cooperative associations on the same interest rate as is enjoyed by all others?

Mr. RANKIN. Yes; and this bill is to allow the loans to be refunded out of what is known as the carry-over fund. It will not hamper the extension of rural electrification in any way.

We took this matter before the Committee on Agriculture and had the Solicitor of the Rural Electrification Administration present. He assured the committee that it could be taken care of out of what they call the carry-over funds that are now in their hands because of the fact that we do not have the

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DIGEST OF PROCEEDINGS OF CONGRESS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE
(Issued December 13, 1944, for actions of Tuesday, December 12, 1944)
(For staff of the Department only)

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HOUSE

1. ROAD AUTHORIZATIONS BILL. Both Houses agreed to the conference report on this bill, S. 2105 (pp. 9394-9, 9412-4). (For bill's provisions see Digests 148, 161, and 173.) This bill will now be sent to the President.
2. FLOOD CONTROL. Both Houses agreed to the conference report on H.R. 4485, the Whittington flood-control bill (pp. 9399-409, 9414-9). (For provisions of the conference report see Digest 173.) This bill will now be sent to the President.
3. RECLAMATION. Passed with an amendment S. 1782, to extend the time in which amendatory contracts may be made under the Reclamation Project Act of 1939 (pp. 9428-9). Agreed to Rep. Murdock's (Ariz.) amendment to strike out the section providing that after retirement of debts due to a project all net power revenues shall be covered into the reclamation fund (p. 9429).
4. FARM CREDIT. During his speech, "Progress of the War," Rep. Burdick, N.Dak., discussed the efforts of Government to "revive business" and extend credit to farmers, criticized administration policies in connection with RFC and the Federal land banks, and stated, "The price of farm commodities, through support prices, loans, and soil-improvement payments have reached a more just position, enabling the producer of food to protect his investment" (p. 9432).

SENATE

5. CROP INSURANCE. Sen. Hill, Ala., announced that H. R. 4911, the crop-insurance bill will be the pending business for today, Dec. 13 (pp. 9394-9409).
6. FARM LOANS. Concurred in the House amendment to S. 1688, authorizing the Secretary of Agriculture to adjust, compromise, or cancel certain indebtedness of farmers for seed-feed loans, FSA loans, excessive AAA payments, etc. (p. 9394). This bill will now be sent to the President.
7. ELECTRIFICATION. Agriculture and Forestry Committee reported without amendment H. R. 5566, to authorize REA to make loans to cooperative associations to repay or refinance loans from TVA (p. 9394).
8. TRAVEL. Expenditures in the Executive Departments Committee reported without amendment H. R. 4547, to permit compensation, on a mileage basis, of civilian

officers or employees for the use of privately owned airplanes while traveling on official business (p. 9394).

9. RIVERS AND HARBORS BILL. Continued debate on this bill, H. R. 3961 (pp. 9352-94). Rejected, 25-56, Sen. Aiken's amendment providing for the post-war development of the St. Lawrence waterway (p. 9382).

10. FORESTRY. Received this Department's report on forest roads and trails for the fiscal year 1944. To Post Offices and Post Roads Committee. (p. 9350.) House received this report on December 11.

11. SMALL BUSINESS. Received WPB's 15th progress report for Oct. 1-Nov. 30, 1944 on the operations of the Smaller War Plants Corporation. To Banking and Currency Committee. (p. 9350.)

ITEMS IN THE APPENDIX

12. WATER POLLUTION. Rep. Spence, Ky., inserted a Cincinnati Enquirer editorial on water-pollution control in the Ohio River (pp. A5059-60).

13. BUREAUCRACY. Rep. Cravens, Ark., inserted a New York Times article urging a study of the Australian bureaucratic crisis with a view to the better understanding of U. S. problems (pp. A5072-3).

14. FARM PROGRAM. Rep. LeCompte, Iowa, inserted resolutions of the Wayne County, Iowa, Farm Bureau favoring rural electrification, rural schools, construction of farm-to-market roads, the AAA program, maintenance of Federal loan associations and FSA to render financial aid to farmers, regulations on fertilizers, manufacture of farm machinery, erosion control and improved farm-practices program by SCS, family-sized farms, and parity prices for farm products (pp. A5074-5).

15. FARM CLOTHING. Extension of remarks of Rep. Scrivner, Kans., including a letter regarding the shortage of farm work clothing and gloves (p. A5079).

BILLS INTRODUCED

16. COMPENSATION. By Rep. Vinson, Ga., H. R. 5617, to increase salaries as follows: President, from \$75,000 to \$100,000; Vice President, Speaker of the House, and cabinet members, from \$15,000 to \$25,000; members of Congress, from \$10,000 to \$15,000. To Judiciary Committee. (p. 9436.) Remarks of author (pp. 9420-2).

17. EXECUTIVE AUTHORITY. By Sen. McCarran, Nev., S. Res. 352, to extend until not later than the end of the 79th Cong. the date for submission of the report called for by S. Res. 252, 78th Cong., relating to a study into the legal and constitutional authority for the issuance of Executive orders of the President and of departmental regulations. To Audit-Control Committee. (p. 9351.)

18. RETIREMENT. By Mrs. Norton, N. J., H. R. 5616, to extend the existing contributory system of retirement benefits to elective officers of the U. S. and heads of executive departments. To Civil Service Committee. (p. 9436.) Remarks of author (pp. 9430-1).

erably in connection with the 10 percent on railroad crossings, but I believe that the compromise is a very fair one, and I have no complaint to make against it.

However, I wish to make a prediction to those who have referred to this bill as a public works bill. I absolve the Senator from Arizona [Mr. HAYDEN] of ever having called it a public-works bill, but I predict that not 20 percent of the funds provided for municipalities will ever give anyone any employment without some provision of this kind, because the money will all be used for the acquisition of rights-of-way.

Mr. REED. Mr. President, I will make the Senator from Georgia two promises: In the first place, I have always held the view that separation of grade crossings was primarily for the safety of the public using the highways. We have never had any determination of the costs as between the railroads and any public agency, such as the State or county. This is the first time we have had an opportunity to determine the costs. If we find that a share greater than 10 percent belongs to the railroads—and I think we may so find—I will join the Senator from Georgia at any time in raising the percentage required from the participating railroads to whatever is found to be equitable.

In connection with the right-of-way matter, if we find from experience that in the urban centers money is being wasted in the purchase of rights-of-way, I will join the Senator from Georgia in amending the law at some time in the future.

Mr. RUSSELL. The statement of the Senator from Kansas is most gratifying.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The question is on agreeing to the conference report on Senate bill 2105.

The report was agreed to.

FLOOD-CONTROL PROJECTS— CONFERENCE REPORT

Mr. OVERTON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4485) entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 27: That the Senate recede from its amendment numbered 27.

Amendment numbered 30: That the Senate recede from its amendment numbered 30.

Amendment numbered 36: That the Senate recede from its amendment numbered 36.

Amendment numbered 39: That the Senate recede from its amendment numbered 39.

Amendment numbered 44: That the Senate recede from its amendment numbered 44.

Amendments numbered 87 and 88: That the Senate recede from its amendments numbered 87 and 88.

Amendment numbered 91: That the Senate recede from its amendment numbered 91.

Amendments numbered 2, 3, 4, 5, 6, and 7: That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, and 7 and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10 and agree to the same.

Amendments numbered 12, 13, 14, 15, 16, 17, and 18: That the House recede from its disagreement to the amendments of the Senate numbered 12, 13, 14, 15, 16, 17, and 18 and agree to the same.

Amendments numbered 20, 21, 22, 23, 24, and 25: That the House recede from its disagreement to the amendments of the Senate numbered 20, 21, 22, 23, 24, and 25 and agree to the same.

Amendments numbered 28 and 29: That the House recede from its disagreement to the amendments of the Senate numbered 28 and 29 and agree to the same.

Amendments numbered 31 and 32: That the House recede from its disagreement to the amendments of the Senate numbered 31 and 32 and agree to the same.

Amendments numbered 34 and 35: That the House recede from its disagreement to the amendments of the Senate numbered 34 and 35 and agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38 and agree to the same.

Amendments numbered 40, 41, 42, and 43: That the House recede from its disagreement to the amendments of the Senate numbered 40, 41, 42, and 43 and agree to the same.

Amendments numbered 45, 46, 47, 48, 49, 50, and 51: That the House recede from its disagreement to the amendments of the Senate numbered 45, 46, 47, 48, 49, 50, and 51 and agree to the same.

Amendments numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81: That the House recede from its disagreement to the amendments of the Senate numbered 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, and 81 and agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84 and agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90 and agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92 and agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In said Senate amendment, on page 1, strike out lines 3 through 11 and on page 2, strike out lines 1 through 4; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In said Senate amendment, on page 8, line 4, insert commas after the word "generally" and after the word "charge"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with amendments, as follows: In said Senate amendment, on page 8, line 24, after the period insert the following: "Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years"; on page 9, line 2, before the word "to" insert the following: "from funds to be appropriated by

the Congress"; line 2, strike out the word "and" and insert in lieu thereof the word "or"; line 2, after the word "acquire" insert the words "by purchase or other agreement"; line 8, after the period insert the words "All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In said Senate amendment, line 13, after the word "uses" insert the word "for"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with amendments, as follows: In said Senate amendment, line 23, after the word "prosecuted" insert the words "on any project authorized in this Act to be constructed by the War Department"; page 14, line 11, strike out the word "herein" and after the word "authorized" insert the words "in this Act for construction by the War Department"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with amendments, as follows: In said Senate amendment, line 17, after the word "provided" insert the words "that the Secretary of War determines that"; line 18, after the word "and" insert the word "that"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In said Senate amendment, on page 21, strike out lines 10 through 25, and on page 22, strike out lines 1 and 2 and insert in lieu thereof the following: "Paragraph (d) of the Lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is hereby construed to authorize reimbursement for the actual market value of lands, rights-of-way, and easements, furnished subsequent to August 18, 1941, for set-backs of main-line Mississippi River levees, regardless of State laws limiting payments to local tax assessment valuations"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In said Senate amendment, change the colon on line 17 to a period and strike out the remainder of that line and all of lines 18 and 19.

Amendment numbered 40½: That the House recede from its disagreement to the amendment of the Senate numbered 40½, and agree to the same with an amendment, as follows: In said Senate amendment, on line 3, strike out the words "his report of" and on line 4, strike out the words "November 16, 1944", and insert the words "House Document Numbered 802, Seventy-eighth Congress, Second Session,"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with amendments, as follows: In said Senate amendment, line 9, strike out the words "No provision of this or any other Act" and insert the words "Neither this authorization nor any previous authorization"; line 11, change the period to a comma and insert the following "pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939."

And the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree

to the same with amendments, as follows: In said Senate amendment, line 23, strike out the figures "\$959,465,000" and insert in lieu thereof the figures \$950,000,000; line 24 after the word "herein" insert the words "by the War Department"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In said Senate amendment, line 14, before the word "protection" insert the word "bank"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In said Senate amendment, line 17, delete the period after the word "government" and add the following: "until the legislature of the state in which the land lies shall have consented to the acquisition of lands by the United States for the purposes within the scope of this section: *Provided further*, That there shall be paid annually to the county in which any lands acquired under this section may lie, a sum equal to one per centum of the purchase price paid for the lands acquired in that county or, if not acquired by purchase, one per centum of their valuation at the time of their acquisition."

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In said Senate amendment, line 6, strike out the figures "\$418,000" and insert in lieu thereof the figures "\$434,000"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows: In said Senate amendment, on page 52, line 2, strike out the figures "\$12,500,000" and insert in lieu thereof the figures "\$21,700,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows: In said Senate amendment, line 10, strike out the figures "12" and insert in lieu thereof the figures "13"; and the Senate agree to the same.

JOSIAH W. BAILEY,
JOHN H. OVERTON,
THEO. G. BILBO,
HAROLD H. BURTON,
OWEN BREWSTER,
HATTIE W. CARAWAY,
BENNETT CHAMP CLARK,
HIRAM W. JOHNSON,

Managers on the part of the Senate.

WILL M. WHITTINGTON,
A. LEONARD ALLEN,
A. J. ELLIOTT,
CHARLES R. CLASON,
CARL T. CURTIS,

Managers on the part of the House.

Mr. AIKEN. Mr. President, may I ask if it is the intention to take up this conference report tonight?

Mr. OVERTON. It is.

Mr. AIKEN. I ask the Senator from Louisiana if he is willing to let this matter go over until tomorrow. The amendment in which I am interested is one which would provide for construction in my valley in Vermont. I should like to have an opportunity to study it and let the Senate know what it is doing before it acts upon it.

Mr. OVERTON. Mr. President, let me say to the Senator from Vermont that we

adopted exactly the amendment which the distinguished Senator from Vermont [Mr. Austin] offered.

Mr. AIKEN. There were a few words added.

Mr. OVERTON. Nothing was added except a clarifying amendment.

Mr. AIKEN. I do not understand that it is a clarifying amendment.

Mr. OVERTON. Mr. President, I shall not be present tomorrow, and I shall insist upon proceeding with the consideration of the conference report tonight. I shall be unavoidably detained from the Senate tomorrow. We can take it up and thresh it out this evening. I should like to dispose of the conference report. It would be very inconvenient for me to be present tomorrow.

Mr. AIKEN. How does the Senator interpret that amendment?

Mr. OVERTON. Let me state exactly what the amendment is.

The amendment which was offered in the Senate and agreed to by the Senate is word for word what was agreed to in conference, except that the words "that the Secretary of War determines that" have been inserted, so as to make the amendment provide that the alternate plan will be carried into execution upon an agreement between the Board, the Secretary of War, and the Chief of Engineers; provided that the Secretary of War determines that the total costs of the alternate plan shall not exceed the sum of \$11,000,000. As I understand, the objection of the Senator is that he does not want the Secretary of War to make that determination.

Mr. AIKEN. No; I should like to have the Senator's interpretation of what the amendment means. Will he let me say what I have been told it means?

Mr. OVERTON. I yield to the Senator from Vermont.

Mr. AIKEN. Mr. President, this amendment, as adopted by the Senate, authorized, and I believe directed, the War Department to adopt the States' alternative plan of eight dams in place of one large dam, which was in the program for the West River Valley.

As I recall, it was further provided—I do not have the bill, the amendment, or the conference report before me—that the dams in the States' alternate plan should impound not less than 75 per cent as much water as the one large dam which was originally proposed by the War Department, and that the costs should not exceed the sum of \$11,000,000. The amendment reads:

Provided, That the Secretary of War determines that the total costs of the alternate plan shall not exceed the sum of \$11,000,000.

I have been told by Mr. CLASON, one of the House conferees, that if the Secretary of War finds that the cost of the eight alternate dams exceeds the sum of \$11,000,000, then he is authorized to go back to the original big dam, which would destroy this valley. It might easily happen that we would have inflation to a degree of 10 or 15 percent, so that the Secretary of War might find that the cost of the dams would exceed \$11,000,000. Then if what I am told is correct, the amendment passed by the Senate would be

meaningless; it would have no effect; and the big dam could be built, destroying the valley, which the Senate emphatically stated it did not wish to do, and which the New England Senators and Representative CLASON agreed should not be done.

Mr. OVERTON. Mr. President, it is all very simple. Everything the Senator says is contained in the amendment adopted by the Senate. That amendment provided that the alternate plan should go into effect, provided the work could be done at a cost not to exceed \$11,000,000. Who is to make that determination? The House conferees, including a representative from one of the New England States, stated that someone must make the determination. So it was suggested that the Secretary of War make the determination. Certainly it could not be left in the air. The amendment which was suggested by both Senators from Vermont and the Senators from Massachusetts and Connecticut, declared emphatically that the alternate plan of reservoirs on the tributaries of the West River should go into effect and be executed if the cost were not in excess of \$11,000,000. The only thing the conferees did was to say that the Secretary of War should make the determination. Someone must make the determination. That is the only difference.

Mr. AIKEN. Does the Senator understand that if the Secretary of War should determine that the cost would be \$11,200,000, the State plan would be thrown into the discard, and the Secretary might revert to the original plan of one big dam in the valley?

Mr. OVERTON. That is correct. That could have been done anyway.

Mr. AIKEN. That is not my understanding of the intention of the Senate in adopting the amendment. I will confess that I did not see the amendment until perhaps 20 minutes before it was adopted. Perhaps I should have insisted on seeing it; but I had the idea that the cost of the alternate plan, as modified, should not exceed \$11,000,000.

Mr. MALONEY. Mr. President, I should like to ask the Senator in charge of the bill a question.

Mr. OVERTON. I yield.

Mr. MALONEY. As I understand, the figure \$11,000,000 was proposed by the Senators from Vermont.

Mr. OVERTON. It was proposed in the amendment offered by the Senator from Vermont [Mr. Austin].

Mr. AIKEN. I did not offer the amendment.

Mr. MALONEY. It is my understanding that the figure was proposed by the State of Vermont. I should be deeply disappointed now, Mr. President, if after the long discussion we had here and the agreement which we felt we had reached, a difference of \$100,000 or \$200,000 should upset the hopes and ambitions of the distinguished Senator from Vermont.

I am wondering whether it is possible that the State of Vermont, through its water commission, might be able to bid on the construction of these dams in order to protect itself if the need arose.

Mr. AIKEN. I do not know about that, but I should be disappointed if the

Senator from Connecticut or any other Senator persisted in attempting to destroy our Vermont valley merely because the dam would cost \$200,000 more than the limitation.

Mr. MALONEY. Mr. President, I am sorry the Senator from Vermont did not hear what I said a moment ago. I rose to say that I felt as he did, and that I would be deeply disappointed if the plans were changed.

Mr. AIKEN. I was sure the Senator would feel that way; but as the matter now stands, according to the interpretation given by the Senator from Louisiana, if the dams cost \$200,000 more 3 or 4 years from now, the Secretary of War will be authorized to revert to the one big dam which would destroy the valley.

Mr. OVERTON. That would have been my answer when we voted on the amendment on the floor of the Senate.

Mr. AIKEN. Then, Mr. President, I accepted the amendment under a misapprehension.

Mr. OVERTON. I am sorry.

Mr. MALONEY. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. The Senator from Louisiana has the floor. Does he yield, and if so, to whom?

Mr. OVERTON. Mr. President, I think it is best to take up the items in the conference report in order, so as to dispose of it.

Mr. MALONEY. Mr. President, the Senator from Louisiana yielded to me.

Mr. OVERTON. Very well; I yield to the Senator from Connecticut.

Mr. MALONEY. If my memory serves me correctly, the Senator from Vermont [Mr. AUSTIN] is the one who used the figure in the debate. I think he pointed out that in using the \$11,000,000 figure, he was allowing considerable leeway.

I assume that the alternative for the State of Vermont is to bid on the construction of the dam. If \$11,000,000 is used as the figure, I think there will yet be a possibility of constructing the dam under the auspices of the State of the Senator from Vermont.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. AIKEN. As I understand the matter, the original estimate of the cost was between \$9,000,000 and \$10,000,000. Then the figure was set at \$11,000,000, to allow some leeway in costs. However, I would call attention to the fact that the Army engineers have already increased the cost for the construction of the one big dam at Williamsville by 25 percent, although the figures have not yet been officially presented to Congress or to any committee. But I have a letter from the War Department covering the matter.

It follows that if the estimate of cost for the small dams which the Senate supposed it was voting for are increased 25 percent, then the plan the Senate supposed it was voting for would be thrown out, and just one big dam would be built on the river. That would destroy the valley. There would be an absolutely destructive loss to the State of Vermont, although the dam might be of value in maintaining the flow of the Connecticut River farther downstream.

It seems to me it is not proper, when the Senate thought it was voting for the alternate plan, to put in any other amendment or to do anything else which would cause any different interpretation to be placed upon the amendment we considered.

Mr. OVERTON. Mr. President, this Connecticut River Basin project has been before the Congress for years, and it has been legislated frequently. The Senators from Vermont were not satisfied with the Williamsville site dam, and they went before the House committee. It was agreed to in the House of Representatives, as I understand, that it would be satisfactory if the Williamsville site dam were made a flood-control dam, and if it were not a high dam.

So the item came over to us from the House of Representatives with that provision, as I understand, agreed to by the Senators from Vermont. When it came to the Senate, I spent hours with the Senators from Vermont and the members of the committee in attempting to obtain something which we could recommend and something which would be satisfactory to them. I thought we had the matter settled when we agreed that no higher dam would be constructed at the Williamsville site and that none of the dams would be used for the generation of power.

Then the row which has been before the Senate all these years broke out again.

Then the Senators from Connecticut and Vermont solemnly conferred, and they returned with what might be termed a State compact between the States. They offered it. When it was adopted, the junior Senator from Vermont [Mr. AIKEN] arose and expressed his gratification over adoption of the amendment. The same amendment was agreed to in conference, with the sole addition of the provision that the Secretary of War shall determine the cost. Someone must determine the cost. That is the only addition which has been made.

Mr. WEEKS. Mr. President, will the Senator yield to me?

Mr. OVERTON. I yield.

Mr. WEEKS. The amendment concerning the Connecticut River Valley is exactly the same as the one which we discussed when the bill was before the Senate. It has been changed only by adding the provision that the Secretary of War shall have power to decide in this particular instance.

The amendment was discussed. It was agreed to by the Senators from Vermont, Massachusetts, and Connecticut. It has not been changed in any respect from the amendment which was the subject of the agreement which we made when we discussed the whole project, with the single exception that someone has been given authority under the amendment to decide what the facts are.

When that particular amendment was before the committee of conference, one of the conferees on the part of the House discussed these particular words with the senior Senator from Vermont and with me. We still found ourselves in agreement that it did not change in any respect the substance of what we had

agreed to when we discussed this matter when the bill was before the Senate.

Mr. OVERTON. Mr. President, the Senator is correct.

Mr. REED rose.

Mr. OVERTON. I yield to the Senator from Kansas.

Mr. REED. Mr. President, as I understand the matter, the Senator from Louisiana is submitting the conference report on House bill 4485. I do not mind depending upon the generosity and courtesy of the Senator from Louisiana, but I think I might discuss the conference report in my own right as a Senator, whenever that time comes.

Mr. OVERTON. Mr. President, I do not think anyone is questioning the right of the Senator to address the Senate. But I thought I would explain the conference report first.

So I will explain the report, and then I shall yield to any Senator who wishes to discuss it.

Mr. President, the Senate receded from the amendments covering the following projects:

The Housatonic River project, the subject matter of which was discussed on the floor of the Senate this afternoon. It yielded on the Yadkin-Pee Dee River Basin project; the Pugatoire River, Colo.; Trinidad area project; and the project on the Galena River at Galena, Ill. The Senate reduced the authorization from \$418,000 to \$300,000.

The Senate also receded from its amendment striking out the Tuttle Creek project on the Big Blue River for the protection of Kansas City. The Senate had provided in the bill that the Department of Agriculture should not acquire any lands for water retardation and prevention of soil erosion.

The House had authorized acquisition of certain lands. The House yielded with the amendment that no land should be acquired in any State without the consent of the legislature of the State; and furthermore that the Federal Government should pay to the county in which the land lies, for reimbursement for taxes, a sum equivalent to 1 percent of the purchase price.

Mr. President, those are the amendments on which the Senate yielded either in whole or in part.

The House receded with certain amendments. The most important one is what is known as the electric-power amendment, which has been fully discussed on the floor of the Senate.

The main amendment to this provision, agreed upon in conference, is on page 8, line 24, after the word "commission" to insert the following:

Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years.

That is the Bonneville provision and it is inserted bodily in the pending bill.

There were also one or two minor amendments which did not change the meaning of the provisions affected.

In respect to the irrigation amendment, the House agreed to it. It has been said that the President desired that the Senate amendment should cover what is known as the California projects. The Senate amendment does cover those projects, as explained on the floor of the Senate when they were under consideration. It applies to all projects which are subject to the irrigation law. It makes the projects authorized in the bill subject to the irrigation law. Section 8 of the bill clearly places reclamation uses of water from these projects under the Secretary of the Interior, and under the applicable reclamation law. No project in this bill—which may include irrigation features—is exempted from the reclamation laws. I say "in this bill" because there is an exception, namely, the John Martin Dam in Colorado, which is exempted from the provisions of the reclamation laws.

Mr. President, the total authorizations in the bill as it comes from conference are \$950,000,000 as against \$959,465,000 as passed by the Senate. The reduction arises from striking out certain projects and modifying certain others. The House receded on a very large number of amendments which the Senate had incorporated in the bill, and which it is not necessary to deal with in detail because they are all in the Senate amendments which were agreed to. The amendment offered by the Senator from South Dakota authorizing an appropriation of \$500,000 as an emergency fund for construction of emergency protection works, was agreed to with the inclusion of the word "bank" so that it would read "emergency bank protection works."

Mr. President, I have stated the amendments. I have a detailed statement and I ask unanimous consent that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

FLOOD CONTROL CONFERENCE REPORT
SENATE RECEDES

Senate amendment 27, page 17, line 23: Housatonic River Basin (Thomaston Reservoir on Naugatuck River).

The Senate amendment provided that the project for this reservoir is authorized "when approved pursuant to provisions of paragraph (a) of section 1 of this act." The Senate amendment was a floor amendment proposed by the junior Senator from Connecticut. A review report can be obtained on resolution of either Senate Commerce Committee or House Flood Control Committee. If further study shows that the project is undesirable under present circumstances, the Chief of Engineers will withhold construction.

Senate amendment 30, page 19, line 18: Yadkin-Pee Dee River Basin.

The Senate amendment provided for referring the general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control and other purposes to the Committee on Commerce, to the end that hearings might be had with the people concerned and with instructions to report back to the Senate within 6 months. The receding by the Senate leaves this plan unauthorized.

Senate Amendment 36, page 24, line 20: Purgatoire River, Colo., Trinidad area.

The House bill authorized the project on this river for local flood protection at Trinidad, Colo. The amendment of the Senate provided for modification of the project to include storage and reservoirs upstream from Trinidad. This modification has heretofore been studied and rejected by the engineers. The author of the Senate amendment, the junior Senator from Colorado, may ask for a review report through committee resolution. A restudy is already in progress as part of an authorized investigation of the upper Arkansas River and tributaries.

Senate Amendment 39, page 26, line 19: Project on Galena River for local flood protection at Galena, Ill.

The Senate reduced authorization from \$418,000 to \$300,000.

Senate Amendment 44, page 29, line 20:

The Senate receded from its amendment striking out Tuttle Creek Dam on the Big Blue River for protection of Kansas City. Conferees understand that the engineers are now engaged in studying a review of the project.

Senate Amendment 85, page 50, line 15.

Senate Amendment 86, page 51, line 1.

Senate Amendment 87, page 51, line 12.

Senate Amendment 88, page 51, line 20.

Senate Amendment 89, page 51, line 21.

Senate Amendment 91, page 53, line 22.

The bill authorizes certain works of improvement for run-off and waterflow retardation and soil erosion prevention to be prosecuted by the Department of Agriculture. The House bill authorized the acquisition of various tracts of land aggregating 1,458,000 acres at an estimated cost of \$12,378,350 in California, Texas, Mississippi and the Washita and Little Tallahatchie River watersheds. The Senate amendment inhibited the acquisition of any land for this purpose by the Federal Government and eliminated from the bill the amounts corresponding to the estimated costs of such land acquisition. The Senate and House made joint recessions from these amendments with amendments which provided that no lands can be acquired by the Department of Agriculture for the purposes above mentioned "until the legislature of the State in which the land lies shall have consented to the acquisition of lands by the United States for the purposes within the scope of this section: *Provided further*, That there shall be paid annually to the county in which any lands acquired under this section may lie, a sum equal to 1 percent of the purchase price paid for the lands acquired in that county, or if not acquired by purchase, 1 percent of their valuation at the time of their acquisition."

HOUSE RECEDES WITH AMENDMENTS

Senate Amendment No. 1: The House receded from Senate amendment No. 1 with an amendment striking out all of the first paragraph of this amendment. The first paragraph is what is known as the McClellan amendment establishing a definite policy of making use of existing Federal agencies for construction, operation, and maintenance of all public improvements provided for in the act in connection with navigation, flood control, and Allied activities, and so forth. The remainder of Senate Amendment No. 1 is what is known as the O'Mahoney-Millikin amendment sponsored by 22 Senators. No change was made in the Senate-adopted O'Mahoney-Millikin amendment.

Senate Amendment 9, section 5, page 8, line 15: Being the electric power amendment.

The House receded with the following amendment: Line 24, after the word "commission" insert the following: "Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric

energy, including the amortization of the capital investment allocated to power over a reasonable period of years."

(b) On page 9, line 2, after the word "authorized", insert "from funds to be appropriated by the Congress."

(c) On page 9, line 2, after the word "construct", strike out "and" and substitute "or."

(d) After the word "acquire", insert "by purchase or other agreement."

So that as amended the provision reads: "The Secretary of the Interior is authorized from funds to be appropriated by the Congress to construct or acquire by purchase or other agreement only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale," etc.

(e) Page 9, line 8, after the word "companies," insert the following: "All moneys received from such sale of power shall be deposited in the Treasury of the United States as miscellaneous receipts."

Senate Amendment No. 26, page 16, line 2: Connecticut River Basin.

The House receded with the clarifying amendment: on line 17 after the word "Provided" insert "That the Secretary of War determines that" so as to authorize the Secretary of War to determine that the total costs of the alternate plan of eight reservoirs in the West River Basin shall not exceed the sum of \$11,000,000.

Senate Amendment No. 33, page 21, line 10: Set-back levees.

The House receded with an amendment in the nature of a substitute for the purposes of clarifying the provision without any alteration of the intended purpose of the Senate amendment. The substitute reads as follows: Strike out the language on line 13 through line 2, page 22, and insert in lieu thereof: "Paragraph (d) of the lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is hereby construed to authorize reimbursement for the actual market value of lands, rights-of-way, and easements, subsequent to August 18, 1941, for set-backs of main-line Mississippi River levees, regardless of State laws limiting payments to local tax assessment valuations."

Senate amendment 37, page 25, line 12: The House bill authorized appropriations for continuation of the previously approved comprehensive plan for the Upper Mississippi River Basin and the Senate amendment includes therein the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, with the following proviso: "Provided that the elevation of the crest of the spillway of the dam shall not exceed 780 feet above mean sea level." (Senator GILLETTE.) The House receded with an amendment striking out the proviso. It was felt by the conferees that the engineers will take proper precautions against damage being inflicted upon the city of Des Moines by the construction of the project.

Senate amendment 52, page 34, line 9 (Senator JENNER): Strike out "No provision of this or any other act, etc." and insert: "Neither this authorization nor any previous authorization shall be construed to authorize the construction of the Shoals Dam on the East Fork of the White River in Martin County, Ind., pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939."

Senate amendment 82, page 48, line 22: The Senate amendment authorized \$959,465,000 to be appropriated, carrying out the improvements by the War Department. The House receded with an amendment reducing this sum to \$950,000,000. This was due to the elimination and modification of various projects in the bill.

HOUSE RECEDES

On all remaining Senate amendments not above referred to the House receded with only several occasional minor clarifying amendments.

The main Senate amendments on which the House receded are the following:

Senate amendment 17, page 10, beginning at line 9, and continuing to the end of line 24, on page 11, being the irrigation amendment.

Senate amendment 18, page 11, line 25, and continuing to end of line 11 on page 13, being section 9 (a), putting into effect the projects in the Missouri Basin agreed upon between the Chief of Engineers and the Department of the Interior.

Senate amendment 20, page 14, lines 14 to 20, inclusive, Lake Champlain Basin, modification of existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin.

Senate amendment 21, page 14, line 21, to end of line 2, page 15, Blackstone River Basin, authorization of project for the West Hill Reservoir on the West River, Mass.

Senate amendment 23, page 15, lines 3 to 8, inclusive, authorization of project on Blackstone River at Worcester, R. I.

Senate amendment 24, page 15, lines 9 to 14, inclusive, authorization of project on Blackstone River at Woonsocket, R. I.

Senate amendment 25, page 15, lines 15 to 20, inclusive, authorization of project on Seekonk River, Pawtucket, R. I.

Senate amendment 29, page 19, lines 7 to 17, inclusive, approval of general plan for the comprehensive development of the Roanoke River Basin in Virginia and North Carolina, and authorization of the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina, and the Philpott Reservoir on the Smith River, Va.

Senate amendment 31, page 20, lines 3-8 inclusive, authorization of project on Edisto River, S. C.

Senate amendment 32, page 20, lines 9-18 inclusive, approval of comprehensive development of Savannah River Basin and construction of Clark Hill Reservoir on Savannah River in South Carolina and Georgia authorized.

Senate amendment 34, page 23, lines 6-13 inclusive, authorization of project on Red River in vicinity of Shreveport, La.

Senate amendment 35, page 23, lines 14-20 inclusive, authorization of Blakely Mountain Dam on Ouachita River, Ark.

Senate amendment 38, page 26, lines 3-8 inclusive, authorization of project on Des Moines River.

Senate amendment 40, page 27, lines 18-24 inclusive, authorization of project for Bald Hill Reservoir on Shesapeake River, N. Dak.

Senate amendment 41, page 27, line 25, and page 28, lines 1-6 inclusive, authorization of reservoir on Pembina River and reservoir on Tongue River, N. Dak.

Senate amendment 42, page 28, lines 7-13 inclusive, authorization of reservoir on South Branch of Park River, N. Dak.

Senate amendment 45, page 31, lines 11-16 inclusive, authorization of plan for local flood protection on Chariton River, Mo.

Senate amendment 46, page 32, lines 24 and 25, and page 33, lines 1-3, inclusive, authorization of plan of improvement in Kentucky River Basin.

Senate amendment 47, page 33, lines 4-8, inclusive, authorization of local flood protection works at Middlesborough on Yellow Creek, Ky.

Senate amendment 48, page 33, lines 9-13, inclusive, authorization of local flood protection works on Rough River and tributaries, Kentucky.

Senate amendment 49, page 33, lines 14-18, inclusive, authorization of Turtle Creek Reservoir on Turtle Creek, Pa.

Senate amendment 50, page 33, lines 24 and 25, and page 34, lines 1-3, inclusive,

elimination of Rowlesburg Reservoir on Cheat River.

Senate amendment 51, page 34, lines 4-8, inclusive, elimination of improvement in Youghiogheny River Basin.

Senate amendment 53, page 35, lines 12-17, inclusive, authorization of project for Mount Morris Reservoir on Genesee River, N. Y.

Senate amendment 54, page 36, lines 15-20, inclusive, Great Salt Basin, authorization of project on Sevier River at Redmond, Utah.

Senate amendments 55 and 56, page 36, lines 21-24, inclusive, and page 37, lines 1 and 2, Colorado River Basin, authorization of project for Alamo Reservoir on Bill Williams River, Ariz.

Senate amendment 57, page 37, lines 3-8, inclusive, authorization of project on Little Colorado River at Holbrook, Ariz.

Senate amendment 58, page 38, lines 15-21, inclusive—Pajaro River Basin—plan of improvement on Pajaro River and tributaries, California, authorized.

Senate amendment 59, page 38, lines 24 and 25, and page 39, lines 1-7, inclusive—Sacramento-San Joaquin River Basin, Sacramento River, modification of projects on Sacramento River, Calif.

Senate amendment 60, page 39, line 25, and page 40, lines 1-6, inclusive, authorization of project for Folsom Reservoir on American River, Calif.

Senate amendment 61, page 42, lines 4-9, inclusive, authorization of plan of improvement for flood control on Calaveras River and Littlejohn Creek and tributaries, California.

Senate amendment 62, page 42, lines 10-16, inclusive, authorization of project for Conn Creek Reservoir on Conn Creek, in Napa River Basin, Calif.

Senate amendment 63, page 44, lines 11-17, inclusive, Chehalis River Basin—authorization of project on Chehalis River at Hoquiam, Aberdeen, and Cosmopolis, Wash.

Senate amendment 64, page 44, lines 19-24, inclusive, authorization of project on Hanapepe River, T. H.

All Senate amendments for preliminary examination and survey items were agreed to.

Senate amendment 83, page 49, lines 10-20 inclusive, authorization of appropriation of \$500,000 as emergency fund for construction of emergency bank protection works to prevent flood damage to highways, bridge approaches, and public works.

Mr. HILL. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HILL. There still seems to be confusion on the part of some Senators with reference to the application of reclamation laws in regard to some of these projects.

I heard the distinguished senior Senator from Louisiana, when the bill was under consideration, and I think he made it very clear. However, I wish to ask this question: Is it not a fact that section 8 of this bill, as agreed to in conference, makes some reclamation laws applicable to the handling of irrigation water of any of the projects, including California projects, where it is found that irrigation may be carried out? I ask the Senator in charge of the bill whether it is not a fact that the President wanted the California projects in this bill constructed under the Bureau of Reclamation so that the water policies would conform to reclamation laws?

Mr. OVERTON. The Senator is correct with respect to the projects in the so-called Central Valley of California. The President wrote me and the chairman of the subcommittee in this regard.

However, in view of the fact that the Senate amendment made not only the California projects but all such projects subject to irrigation laws, and in view of the fact that the House concurred in this action by agreeing to section 8 of the Senate bill, I am sure that the President will feel that we have met the problem that he raised. Section 8 of the bill clearly places reclamation uses of water from these projects under the Secretary of the Interior and under the applicable reclamation laws. No project in this bill which may include irrigation features is exempted from the reclamation laws.

Mr. HILL. I thank the Senator.

Mr. OVERTON. The Senate amendment made not only the California projects, but all such projects subject to the irrigation law. In view of the fact the House concurred in that action by agreeing to section 8 of the bill, I am sure the Senator from Alabama will feel that we have met the question which he has raised. As I stated a while ago, section 8 of the bill clearly places reclamation uses of waters from all projects authorized in this bill under the Secretary of the Interior, and under the applicable reclamation laws.

Mr. HILL. I thank the Senator.

Mr. OVERTON. Mr. President, I yield the floor.

Mr. REED. Mr. President, I wish to say just a few words. I wish to dwell first on the treatment given the people of Massachusetts, Vermont, and Connecticut, and the treatment given to the people of Kansas in the bill. There is a difference of opinion between Vermont on the one hand and Massachusetts and Connecticut on the other. There is a difference of interest and opinion and of sentiment on some projects embodied in the bill as to Kansas, but all the people happen to live in Kansas.

The senior Senator from Kansas [Mr. CAPPER] a few days ago offered an amendment to the bill touching what is known as the Tuttle Creek Dam. That is a big dam, and its construction will result in drowning out one of the most prosperous and most beautiful valleys in the United States, for about 125 miles, in Kansas. What the people of that valley would prefer would be more small dams, and not just this one big dam. The people of Vermont were permitted to substitute eight small dams for the one large dam. We were denied any opportunity to do that.

The second thing is that this Tuttle Creek Dam is included in the bill before us, which is a flood control bill. The Tuttle Creek Dam is not only a flood control project. Admittedly the Army engineers have included a part of the height of that dam, to which the people of that valley take serious exception, for navigation purposes. That is admitted, because they have told me that the dam is to be made higher than it need be for flood control, in order to provide water for navigation in the Missouri River, where sometimes the bed of the stream becomes so dry that the catfish get dust in their eyes as they swim up the stream.

I was told by the conferees that they rejected our amendment partly because of the insistence of Kansas City, Mo.,

whose main interest is in navigation on the Missouri. I do not mean to say they are without interest in flood control, but their main interest is in navigation on the Missouri. Our main interest is in flood control, and now, at this late hour, in this flood control bill, we find an item and a policy which will absolutely ruin one of the most beautiful and fertile valleys to be found anywhere.

Surely if Massachusetts and Connecticut could agree on a different policy with Vermont so as to substitute eight small dams for one large dam, and the eight small dams, even at that, Mr. President, had to have only 75 percent as much water as the one large dam would have had, and solely on the ground of the destruction of fertile land in Vermont, then I say we in Kansas were denied what we were reasonably and fairly entitled to have in the bill, so far as this item is concerned.

Mr. President, this is the first comprehensive attempt that has been made to meet the flood-control problem. Like every other Senator on this floor, I want to see something done about the flood-control problem, but I want it done fairly and reasonably, and always with the various projects justified economically, with the benefits to be derived as much or more than the cost and the damages to the people. This bill is not built on that basis. The so-called river and harbor bill and the flood-control bill are loosely drawn, are recklessly put together, without any regard to cost, so that the cost may reach to \$2,000,000,000 for the two bills, according to the discretion of the Army engineers.

I have not seen two pieces of pork-barrel legislation during my 6-year term in the Senate such as are found in these two bills, which we are passing as carelessly and recklessly, and without regard to cost, as though it were a small sum, as though we were out of debt, as though we had an overflowing Treasury, as though our taxes were already down to a point where the people could pay.

I do not intend to oppose the adoption of the conference report despite these serious defects. I want to make a start on a flood-control policy, and to some extent future legislation may minimize the evils of the present bills.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. REED. I yield.

Mr. MALONEY. Did the Senator vote to strike out any of the projects in the bill when it was under consideration?

Mr. REED. We offered an amendment, which the chairman of the subcommittee accepted, with the usual suggestion that he would take it to conference; and I knew what that meant, of course, that it went to conference, and in conference it was pitched out on its neck.

Mr. MALONEY. I did not hear the Senator propose any amendment which would strike out projects in the bill.

Mr. REED. We wrote an amendment; I have forgotten the exact language which my colleague, the senior Senator from Kansas [Mr. CAPPER], offered, which the chairman of the subcommittee accepted, which would have

stricken out the provision for this big dam in Kansas called the Tuttle Creek Dam, language, as I recollect it, to the effect that "nothing herein contained shall be considered to authorize the construction of the Tuttle Creek Dam." Some consideration was given Vermont as against the lower valley. Kansas did not get such consideration.

Mr. MALONEY. Is the Senator now objecting to the so-called Vermont proposal?

Mr. REED. No; of course not; what I am objecting to is that a reasonable program substituting eight small dams for one large dam was granted to Vermont, to protect its interests, and denied to Kansas.

Mr. MALONEY. That was not withdrawn.

Mr. REED. I did not say it was withdrawn. I do not know how the Senator got any such idea.

Mr. MALONEY. The Senator said this was the worst "pork barrel" bill he had known of during his term of service.

Mr. REED. Yes.

Mr. MALONEY. There were scores of projects in the bill, and the Senator sat in his place and, at least by his silence, acquiesced in the projects.

Mr. REED. If my vote could have defeated the river and harbor bill, it certainly would have been defeated. It is one of the worst "pork barrel" bills I have ever heard of.

Mr. MALONEY. The Senator did not object out loud.

Mr. REED. If the Senator had been here last week when I was discussing it, he would have known that was what I said, as the Senator from Montana and other Senators can attest. I may be saying it a little more emphatically this afternoon, but 3 or 4 days ago I said the same thing, if it pleases the Senator from Connecticut, perhaps when he was not present.

Mr. MALONEY. Yes, the Senator from Connecticut was present, and the Senator from Connecticut was a member of the committee which reported the bill under consideration, and the Senator from Connecticut does not think these are "pork barrel" bills. There are some projects in them to which I am opposed, and some have been adopted to which I am opposed, but I say it is very unfair for a Senator to stand on the floor of the Senate after a bill is passed and say it is "the worst 'pork barrel' bill I have seen during my 6 years," when during the consideration of the bill he sat silent.

Mr. REED. I have not asked the Senator from Connecticut for his approval; I am indifferent whether I have it or not. The fact remains that in the financial circumstances of this country, when we are going to end the war, even if we end it next year, with a debt so overwhelming that no one can figure out a way to take care of it, we recklessly, carelessly, without due thought, without due consideration, pass two bills which will allow an expenditure of \$2,000,000,000 to be added to the national debt.

Mr. OVERTON. Mr. President, I should like to invite the attention of the Senator from Kansas to a thought or two.

The Senator proceeds upon the theory that if the Senate conferees keep one amendment in a bill they should be able to keep other amendments in the bill. The House had to yield on some amendments, and it yielded a great many more times than the Senate had to yield. Both had to yield on certain items or we would not have had a bill.

It happens that we got through with the Connecticut River Basin provision. There was no disagreement. The House did not object to it, with the single modification which has already been discussed on the floor of the Senate.

When we came to the Tuttle Creek Reservoir, to start with, the Tuttle Creek Reservoir was authorized back in 1936. The bill as it passed the House had nothing to do with Tuttle Creek, except that it was a project approved June 22, 1936. The language of the bill read:

The project adopted by the act of June 22, 1936, to provide flood protection for the Kansas Citys, Kansas and Missouri, is hereby modified and extended to provide for improvement substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 342, Seventy-eighth Congress, first session.

And so forth. The House conferees objected to the amendment adopted by the Senate which eliminated the Tuttle Creek Reservoir, and they did so because they received scores of telegrams from Kansas City saying that unless Tuttle Creek Reservoir were built Kansas City would be in danger of very serious damage from flood. They insisted upon it. Furthermore, it was stated by the engineers that this project was undergoing restudy. It may be that in the restudy some substitute can be found for Tuttle Creek. But the Senate conferees yielded. I have no apologies to make for yielding. Certainly there exists quite a strong feeling in Kansas City, Mo., that Tuttle Creek should remain in the bill.

Mr. REED. Mr. President, will the Senator yield?

Mr. OVERTON. I yield the floor.

Mr. REED. May I inquire of the Senator from Louisiana when Kansas City, Mo., commercial interests superseded the two Senators who here speak on the Senate floor for the entire State of Kansas? When did Kansas City, which commercially is principally concerned in navigation on the Missouri, come to a place of such power in this body that it can supersede the two Senators who were duly elected to speak for Kansas?

Mr. OVERTON. I was simply giving the Senate a historical narration of facts as to the events which occurred in conference.

Mr. REED. And a very frank admission as to why the views of the Senators from Kansas were disregarded.

Mr. OVERTON. Why the views of the House conferees were accepted.

Mr. JENNER. Mr. President, may I ask the Senator a question?

Mr. OVERTON. Yes.

Mr. JENNER. I should like an explanation of amendment numbered 52, which appears on page 11 of the conference report. The amendment which was adopted in the Senate was changed,

and I should like an explanation of the change.

Mr. OVERTON. That was the amendment which the Senator from Indiana offered on the floor.

Mr. JENNER. I offered the amendment, and it has been modified and changed. I should like to know why.

Mr. OVERTON. The change in phraseology, as agreed to in conference, is:

Neither this authorization nor any previous authorization shall be construed to authorize the construction of the Shoals Dam on the East Fork of the White River in Martin County, Ind., pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939.

There is pending an investigation, as I understand, by the Army engineers with respect to this project and they have not submitted their report. So the provision is that neither the authorization nor any previous authorization shall be construed to authorize the construction of the Shoals Dam pending submission and adoption by the Congress of this report. It holds the matter in abeyance until submission and adoption by the Congress of the report.

Mr. JENNER. It does not change the fact that under this act the Shoals Dam cannot be constructed. The only way it can ever be constructed is by some future act of Congress.

Mr. OVERTON. The Senator from Indiana is correct.

Mr. AIKEN. Mr. President, I should like to get the situation with regard to the West River a little bit clearer in my mind. I am wondering perhaps if my colleague can help clear it up. I should like to ask if he considers \$11,000,000 to be ample to construct the State's alternate plan on the West River.

Mr. AUSTIN. I have had to depend wholly on the representatives of the Vermont board for that information, and I did rely upon it, and they told me that it would be adequate, and gave me a digest of the cost of the various dams, which totals less than \$11,000,000. I cannot state the exact amount, but my recollection is that it was between nine and ten million dollars.

Mr. AIKEN. That is correct.

Mr. AUSTIN. I do not rely on memory very much for figures, but that is my recollection. No other representation was made to the Senator and to me when we were negotiating the terms of this amendment. No other figure was given than that. In any event, if my colleague wishes me to proceed, I might say that I feel that we are well protected by the text of the amendment as it appears in the conference report.

Shall I proceed and state why I think we are?

Mr. AIKEN. Yes; I wish my colleague, the senior Senator from Vermont would proceed. As I understand, a representative of the Army engineers was present at the conference between my colleague and the Senators from Connecticut and Massachusetts, and he certainly should have had some idea as to whether this amount was adequate.

Mr. MALONEY. Mr. President, will the Senator yield? I may be able to throw a little light on that point.

Mr. AUSTIN. Yes. I think the Senator from Connecticut can help us, too.

Mr. MALONEY. The figure which was used in the discussion by the senior Senator from Vermont, as I recall it, was \$9,400,000, and that, I should like to point out, is a 1944 figure. It was a figure given by a Boston engineering firm, as I understand, and based on 1944 prices.

Mr. AUSTIN. I thank the Senator from Connecticut very much. If I may now proceed, I shall explain what I understand the language of the amendment provides in the way of two things:

First, flood control for the benefit of Massachusetts and Connecticut to the extent of 75 percent of the volume of flood control which would have been provided if the Williamsville Reservoir had been utilized for flood control instead of an alternate plan.

Second, as to protection of the people in the valley of the West River. The essential protection in this language lies in the necessity of an agreement between the Vermont authorities and the Federal authorities before any construction whatever can be undertaken.

Mr. AIKEN. Is the Senator satisfied that the West River Valley is included in that provision?

Mr. AUSTIN. Yes. I shall read what I think covers it.

Mr. AIKEN. I wish the Senator would.

Mr. AUSTIN. It is language beginning in line 9 on page 16:

Provided further, That the Army engineers are authorized and directed to construct eight reservoirs in the West River Basin in Vermont instead of the flood control reservoir authorized by existing law, known as the Williamsville Reservoir in the above mentioned towns, in accordance with an alternative plan submitted by the Vermont State Water Conservation Board as the same may be modified by agreement between the said Board and the Secretary of War and the Chief of Engineers, provided that the Secretary of War determines that the total cost of the alternate plan shall not exceed the sum of \$11,000,000 and that the amount of flood control secured by them at the entrance of the waters of the West River into the Connecticut River shall not be less than 75 percent of the flood control which may be secured from the single so-called Williamsville Reservoir now authorized to be constructed by the Army engineers.

Mr. President, that is not the entire section, but it is that part which I say protects the two objectives which I have mentioned. There is one step necessary before any plan can be started. The Army engineers cannot begin operations until there has been an agreement between the Vermont State Water Conservation Board and the Secretary of War and the Chief of Engineers upon the modification which may be necessary.

What modifications does this bill contemplate? Those in particular which are contained in the proviso that the Secretary of War shall determine that the costs shall not exceed \$11,000,000, and that the quantity of flood control shall be as much as 75 percent.

This is the picture, as I see it, in practice: As a Congress, we have determined the policy that we will take a substitute for the single dam. What shall that substitute be? It shall be eight dams, according to the plan submitted by the Vermont board, or it shall be seven dams, or six dams, or five dams, or any number of dams on which the respective authorities agree. That is a part of the modifying power. The Vermont State Water Conservation Board, the Secretary of War, and the Chief of Engineers must get together. They must agree on a plan which will do two things: First, provide 75 percent of flood control; and second, keep within the limit of cost of \$11,000,000.

How are the affected States perfectly secure? We do not agree to any modification unless it conforms to the policy of Congress as declared in this bill. It is up to us. What is the position of the Federal Government? It refuses to agree unless the modified plan conforms to the policy expressed in this bill. Someone must find the facts as to cost. I never had a doubt that it would be the Secretary of War. That is the sole method that I know of for finding the facts. The modified plan would cost so much. Therefore, we will submit whatever agreement we wish to make to the Secretary of War to have him say whether the modified plan is within the proviso relating to costs, and within the proviso relating to efficiency of flood control.

Mr. President, I should like to ask the distinguished Senators from the States of Massachusetts and Connecticut if I have correctly stated their understanding of the provision.

Mr. MALONEY. Mr. President, I was called from the Chamber for a few moments while the Senator was speaking; but to the extent that I heard him, my understanding is in accord with his.

I should like to point out to him—it may or may not be of interest to him—that earlier, while he was detained from the Chamber by an important committee meeting, I stated that Vermont has the further protection, as I see it, of itself bidding on these dams. The Water Commission of the State of Vermont could build the dams. As the Senator knows, projects of this sort are largely constructed by private concerns. The commission has the figure of \$9,400,000. It could protect itself pretty well by offering to construct the dams for \$11,000,000.

Mr. AUSTIN. The plan may be modified so as to cost even less.

Now let me ask the Senator from Massachusetts [Mr. WEEKS] if I have correctly stated the situation as he understands it to be.

Mr. WEEKS. Mr. President, I think I may answer the Senator's question simply by repeating what I previously stated, namely, that the amendment to which we agreed has been altered only by inserting the words "that the Secretary of War determines that," providing that the Secretary of War is the individual who shall determine whether or not the conditions are met. Otherwise, I believe that the agreement as spelled out in the amend-

ment is exactly the agreement which we arrived at, and the understanding we all had. I subscribe to the statement made by the distinguished senior Senator from Vermont insofar as I believe I understand what he is describing.

Mr. AUSTIN. Mr. President, I should like to ask a simple question which will narrow this thing down so that we cannot have any quibble about it in the future. Am I not correctly stating the meaning of the amendment to be this: With respect to the subject of cost and the quantity of flood control, the Secretary of War is the person or officer chosen by us to pass upon the question whether the plan as modified by agreement between the Federal Government and the State governments conforms to the policy of Congress?

Mr. MALONEY. I believe the Senator is quite correct.

Mr. AUSTIN. What does the Senator from Massachusetts say?

Mr. WEEKS. In answer to the question, I understand that the Senator from Vermont has stated the facts.

Mr. AUSTIN. Before any plan can go into effect, Mr. President, there must be an agreement between the Federal and State governments; and we can be sure that both parties to such agreement will have it conform to the policy of not exceeding \$11,000,000 in cost, and not going below 75 percent of flood control at the mouth of the river. It is all within the scope of the doctrine of cooperation between the Federal Government and the State governments.

Mr. WEEKS. Mr. President, I should like to add my further understanding that if in the final analysis those conditions cannot be met, then Massachusetts and Connecticut are to be provided with the flood control contemplated in the general over-all program. I believe that is spelled out by the amendment, and clearly understood.

Mr. AUSTIN. Provided that no modification of it is made. That is another protection. In the latter part of this amendment is the following language:

Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification hereafter made of the comprehensive plan for the Connecticut River Basin in Vermont under authority of the Flood Control Act approved June 28, 1938, or of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section 1 of this act.

Mr. AIKEN. Does that include the West River Valley?

Mr. AUSTIN. Oh, yes; of course it does.

Mr. AIKEN. Is it the understanding of the Senator from Massachusetts also that it includes the West River Valley?

Mr. WEEKS. Mr. President, I do not quite understand the Senator's question.

Mr. AIKEN. The proviso which relates to contemplated dams at Cambridgeport, Ludlow, Gaysville, and South Tunbridge, and, I believe, to other dams which may be contemplated in the future, must be subject to objection on the part of the State. I wonder whether the West River

Valley is included in that category in the event the Secretary of War finds he cannot construct the dams included in the State's alternate plan for \$11,000,000.

Mr. WEEKS. Mr. President, I do not understand that the West River Valley is covered. It seems to me that the West River Valley situation is spelled out from start to finish in the first part of the amendment.

Mr. AUSTIN. Mr. President, the words my colleague used are not the words upon which I rely for the claim that modifications hereafter made must be sent to us for consideration as a State. The provision to which I refer follows the language my colleague cited. I rely on the following provision:

Any modification hereafter made of the comprehensive plan for the Connecticut River Basin in Vermont under authority of—

I will not repeat the citation of the authority—

shall not be carried out until after compliance with the provisions of paragraph (a) of section 1 of this act.

Mr. AIKEN. However, the plans for the big dam at West River are not hereafter to be made. They are already made. That is why I ask whether the West River Valley would be included in that category.

Mr. AUSTIN. If we find that no agreement whatever, by way of modification or otherwise, can be made of the Vermont plan so that a system of dams in lieu of one dam can be constructed at a cost of not more than \$11,000,000, such dams to produce flood control of 75 percent, then—and only then—we come to a consideration of the single dam.

Mr. AIKEN. Does the Senator consider that if the Secretary of War determines that the other dams cannot be built for \$11,000,000, he will be authorized to revert to the single dam? I understand that is the interpretation of the Senator from Massachusetts.

Mr. AUSTIN. Oh, no. He cannot revert to that until we have agreed to disagree. If we agree that we cannot construct the Vermont plan, or any modification of it, for \$11,000,000, then, of course, we revert to the Williamsville Dam.

Mr. AIKEN. Then we revert to the single dam.

Mr. AUSTIN. Yes; then we revert to the single dam.

Mr. AIKEN. If prices increase during the next 3 or 4 years, so that the series of dams would cost \$11,500,000 or \$12,000,000, and if the Secretary of War so determined, then he would be authorized to construct the one big dam at Williamsville, the cost of which might have increased in the meantime to \$15,000,000.

Mr. AUSTIN. He would not be authorized to do that until we had opportunity to make an effort to agree upon a modification of the Vermont plan which would conform to this proviso.

It is all within our power. Every step is within the scope of our agreement. No cloud should be thrown on that interpretation of the amendment. I think the

amendment is very clear in all its provisions.

Mr. WEEKS. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. WEEKS. I think the last statement made by the distinguished senior Senator from Vermont [Mr. AUSTIN] clarifies the problem, when he said that the single dam can be built only if in the final analysis it is determined that no series of 8, or 9, or 10 dams can be erected.

Mr. AUSTIN. Or six or five.

Mr. WEEKS. Or six or five dams within the projected \$11,000,000 cost providing the 75 percent flood protection. Only if in the final analysis a solution cannot be reached, then, as the senior Senator from Vermont has said, do we revert to the single dam.

Mr. AUSTIN. That is a very clear statement.

Mr. AIKEN. The final analysis comes when the Secretary of War says, "I cannot build those dams for \$11,000,000."

In the meantime prices may have become inflated 25 or 30 percent.

Mr. President, I have a letter from Colonel Goethals under date of September 27, 1944, in which he states:

The cost of a dam for flood control only at mile 8.3, which is the site of the Williamsville Dam referred to in House Document No. 724, Seventy-sixth Congress, third session, was estimated at \$6,280,000 in that report.

That was the report, I believe, which the Committee on Rivers and Harbors considered, and it considered a cost of \$6,280,000.

But Colonel Goethals further states in his letter:

Under present economic conditions, it is expected that the structure proposed in that report would cost \$8,400,000.

There is an increase of approximately 32 or 33 percent.

If the Army engineers or the State engineers have estimated that the alternate plan would cost \$9,000,000, and if subsequently they find that the cost of materials and labor has increased 30 percent, the total cost will be far in excess of the \$11,000,000 limit. Under such conditions the Army engineers could not agree with the State that the series of dams could be built for \$11,000,000. Then would they not be authorized to go ahead with the construction of the big dam which had been authorized in the first place?

Mr. AUSTIN. Mr. President, we provided for a factual condition, namely, a \$11,000,000 limitation of cost and the provision of a minimum protection of 75 percent. That agreement—and it was an agreement—was made on the basis of information afforded by our own engineer and acquiesced in by the Army engineers' representatives here. We could do nothing else except take their figures on that matter. We assumed that to be the fact which would be our guide in connection with this legislation.

If they had said \$15,000,000, we would not have agreed to anything else, of course.

Now we have all agreed to it, and we have assumed that fact. We have gone ahead and enacted this legislation with that fact ahead of us. It has to be a fact, not a whimsey, not an arbitrary ruling. This legislation can not be diverted or frustrated by having someone arbitrarily say, "You have made the agreement now, and it will cost more than \$11,000,000."

That is not the spirit of this bill. It is not the provision of the bill. We expect that such a distinguished officer of the United States as the Secretary of War will deal honestly, and that he will give us, in advance of any agreement between his representative and us, the information whether the design we are negotiating is within the proviso or without it. We will not agree unless he does. His engineers will not agree unless he does. Only in the event that it is impossible to construct the series of dams will the single dam be constructed.

Mr. AIKEN. If the Secretary of War determines that the project cannot be built for \$11,000,000, what recourse will Vermont have?

Mr. AUSTIN. Vermont will have no recourse under the law except to hold the Federal Government to the terms of the amendment, which would be that in constructing the single dam the flood-control type of dam would be used.

That is all there is.

Mr. AIKEN. What is the difference between a flood-control type of dam, as the Senator defined it the other day, and a storage type of dam? In my original amendment I had the words "detention" or "retention," a type of dam such as may be found in Ohio, and which has an opening in it so that the water cannot be held back indefinitely.

Mr. AUSTIN. That was explained to me by the Army engineers as being the difference between a dam with a fixed opening and one with several openings which could be closed during the peak of a flood when it is necessary to completely shut off the water for short periods.

Mr. AIKEN. With that type of dam in the valley would it not be possible to hold back the water all summer?

Mr. AUSTIN. No; I think not. I believe that would be a violation of the law.

Mr. AIKEN. It would be a violation of the intent of the law.

Mr. AUSTIN. Certainly.

Mr. AIKEN. I agree with the Senator.

Mr. AUSTIN. What does this mean? Has my colleague departed from the agreement which he made?

Mr. AIKEN. I certainly did not interpret the agreement as permitting the construction of a big dam on the West River.

Mr. AUSTIN. How did the Senator interpret the following language:

Nothing in this act or in any previous authorization shall be construed to authorize the construction of a dam, other than a flood control type dam, on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont.

Mr. AIKEN. That is a part of the amendment which I wrote, and which the Senator incorporated, and I had the word "detention" or "retention" in the

language, referring to the type of dam which would have a perpetual opening in it so that it could not be used to flood the valley indefinitely. When the Senator added the remainder of the language, and we authorized and directed the Secretary of War to construct a series of dams in accordance with the Vermont alternative plan, it appeared to me, as a layman, that Vermont was secure against the construction of a big dam which would destroy the valley, whether the dam was for retention, detention, flood control, power, or storage.

Mr. AUSTIN. Mr. President, I find it not very helpful to review what occurred before the amendment was agreed to. My colleague asked the question when the bill and the amendment were before the Senate for consideration. I do not think he should be confused at this moment as to the difference between a flood-control dam and a retention or detention type of dam. If he is, he has no one to blame but himself. We discussed the matter in advance and the Senate acted upon the amendment after discussion was had. I do not understand what is sought to be done now.

Mr. AIKEN. I am seeking to protect the State of Vermont.

Mr. AUSTIN. Perhaps I am not. It seems the insinuation is that I am not.

Mr. AIKEN. There is no insinuation. I had hoped the Senator would say what I have said.

Mr. AUSTIN. Mr. President, I have nothing further to say than this: After a great deal of discussion this amendment in its present terms, without the words which are found in line 17 relating to the proviso governing the cost and the question of flood control, namely, that the Secretary of War determines that the cost is so much, and the amount of flood control is so much, was agreed to by the Senate. The change in phraseology does only what the Senator from Massachusetts and the Senator from Connecticut have said it would do. It designates the person who will find the fact; and he will find it before we conclude our negotiations relating to the number and types of dams which are in the Vermont plan. So far as Vermont is concerned, I leave it to the Senate whether we are protecting Vermont in this respect.

Mr. AIKEN. Mr. President, I wish to ask my colleague a question. I am not impatient when I ask whether he is satisfied that this amendment completely protects the State of Vermont and insures the people of the West River Valley against being flooded out. That is all I want to be sure of.

Mr. AUSTIN. Mr. President, in my opinion, this is the best legislation that we could obtain which would accommodate the two purposes to which reference has been made, namely, 75 percent of the flood control of the single dam, and the construction of several smaller dams which would do less damage to the valley, within the limit of \$11,000,000. I believe the legislation is clear on that point. I believe it is an excellent piece of legislation in principle, and in its specific provisions. I sincerely expect the Federal Government to carry out the

spirit of the law. So far as Vermont is concerned, I may say that I talked with a representative of the Vermont State Water Conservation Board today, and I can announce that the board has no intention of causing delay which might result in increased cost.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. AIKEN. Mr. President, I try not to become impatient with anyone, but once in a while I backslide. I did not ask any questions of my colleague in an impatient frame of mind. I want the valley in Vermont to be protected. It is a valley which means more to me than any other valley in the United States. I told the people of that valley that I would do the best I could to protect them. We have had to fight for protection for 15 or 20 years. At one time the utility companies wanted control of it, then the Federal Government tried to get it from us, and then the utility companies came again and wanted it. When I saw the amendment in the bill as originally written, authorizing a great dam to be constructed on the West River, and then the amendment which was put in by the Committee on Commerce, and when I saw the amendment which would have permitted the generating of power on any of those dams in the State of Vermont, it meant just one thing to me, namely, that our valleys were to be taken by the Federal Government, that great dams were to be constructed with Federal funds, and that no power could be generated there for the benefit of the State or the people who live there, but that the dams could be used only as storage reservoirs for the benefit of private utility companies farther down the river.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Vermont yield to the Senator from Massachusetts?

Mr. AIKEN. I yield.

Mr. WEEKS. Let me point out to the junior Senator from Vermont that the language of the amendment agreed to by the conference committee has not changed in any degree whatsoever the language of the amendment adopted by the Senate. I should like to read from the RECORD what the junior Senator from Vermont said at the time of the adoption of the amendment.

Mr. AIKEN. I do not disagree with the Senator from Massachusetts as to the wording of the amendment, but I will say that certainly I myself never at any time—and I interpreted it as a layman, of course; I admit I am a layman, I am not a lawyer—interpreted it to mean that a large dam which would destroy the West River Valley was authorized under any circumstances. If the series of small dams costing a maximum of \$11,000,000 could not be built for \$11,000,000, I do not see why the Congress could not appropriate \$2,000,000 more, why the Army engineers could not come back for more, just as they do in the case of other dams. I do not understand why anyone should even insist that we would have to modify the plan or change the plan to permit the destruc-

tion of this valley. It is one of the most beautiful valleys in the world. I dare say the Senator has driven through the valley, and if he has he will agree with me.

Mr. WEEKS. Will the Senator yield to allow me to read from the RECORD.

Mr. AIKEN. I yield.

Mr. WEEKS. Just prior to the adoption of the amendment, and after we had worked hard to perfect an amendment which would be satisfactory to all parties concerned, the junior Senator from Vermont said:

We have, and, I think, rightfully, insisted that such protection be afforded with a minimum of damage to our State.

It seems to me that the agreement reached here this afternoon attains that end, and that the program can go forward providing for the protection of the people of Massachusetts and Connecticut, while at the same time depriving Vermont of as little of her resources as possible.

Mr. President, I do not think the situation is any different today, at this moment, from what it was when the junior Senator from Vermont made that statement.

Mr. AIKEN. Mr. President, did the Senator from Massachusetts understand when the amendment was agreed to that if the Secretary of War determined these dams could not be built for \$11,000,000, he could revert to the one great storage dam in the West River Valley? Call it any name one may care to, that is what it would be. It might as well be a storage dam as to destroy those villages and ravage the countryside. I would just as soon see water there as mud.

Mr. WEEKS. I can only say what I said before and what the senior Senator from Vermont has said, that if in the final analysis nothing can be done through the medium of a group of smaller dams—and we asked only 75 percent of the protection—then we do revert, but the engineers of the State of Vermont and the Army engineers will be in constant communication on this project. If they fall short by a small amount, Congress can always remedy that situation. I do not think there is anything the Senator from Vermont need be afraid of.

Mr. AIKEN. Does the Senator from Massachusetts think the Congress would remedy the situation if the cost amounted to \$12,000,000?

Mr. WEEKS. No one wants to do Vermont irreparable damage in any degree.

Mr. AIKEN. I know that was not quite a fair question. If the Senator knew what this valley means to me, he would know why I feel the way I do about it.

As I stated, Mr. President, if we have great dams built across our valleys, and they are used for storage of water to maintain the flow of the Connecticut, the principal beneficiaries, of course, will be the private utility companies down the river. I have a list of them here on the whole Connecticut River system.

Beginning at the upper end there are two small dams, Lyman Falls and Canaan, one with an installed kilowatt capacity of 1,200, and the other with an installed kilowatt capacity of 1,100.

The one at Lyman Falls in 1943 generated 6,847,000 kilowatt-hours of electric-

ity, and the one at Canaan 5,847,000. Those are small dams, owned by the Public Service Co. of New Hampshire.

Then as we go down the river, we come to the larger ones, first the one at Wilder, owned by the Bellows Falls Hydroelectric Corporation. That has a capacity of 5,220 kilowatts, and in 1943 generated 33,192,000 kilowatt-hours. It is contemplated by the utility company which owns that dam to increase the output about five times.

Then there is a dam at Bellows Falls, a still larger one, which last year generated 265,908,000 kilowatt-hours of electricity. Those dams are owned by the Bellows Falls Hydroelectric Corporation, a subsidiary of the New England power group.

Then there are the Comerford Dam, the Vernon Dam, and the McIndoes Dam, which last year generated over 500,000,000 kilowatt-hours of electricity. They are owned by the Connecticut River Power Co., another subsidiary of the New England power group.

Then there is the Western Massachusetts Electric Co., which owns two dams, the Cabot Dam, and the Turners Falls No. 1 Dam, which together generated about 300,000,000 kilowatt-hours of electricity last year.

The city of Holyoke has a small municipal plant, which generated 12,301,000 kilowatt-hours of electricity last year.

The Holyoke Water Power Co.—and I do not know to what group, if any, it belongs—has two plants on the Connecticut River generating 49,000,000 kilowatt-hours and 20,000,000 kilowatt-hours, respectively.

With the exception of the dam owned by the city of Holyoke, these dams are owned by private utilities.

I do not object to the private utilities getting an increased flow of water on the Connecticut River, but I do object to any attempt on the part of anyone to prevent the generating of power from our small dams up in Vermont.

As I have said, I have told the people of the West River Valley that I would fight just as long as I could to save that valley for them. I say again that when this amendment was agreed to, I could not interpret it as it has since been interpreted. I suppose it is because I have a layman's mind. I thought we were prohibiting the construction of a great dam on the West River. It seems, however, that as it is interpreted now we have prohibited it only under certain conditions.

As I have said, the War Department has already estimated that the dam at Williamsville will cost in excess of 30 percent more than the estimate they had last spring, and it seems reasonable to believe that the smaller dams might also increase in cost. With the cost of labor going up, and the cost of materials likely to rise, I cannot understand why there is a limitation put on this cost. The Senate certainly thought it was authorizing a series of smaller dams for this valley, this valley which is desirable as a place in which to live, a place in which to build homes, as a great many people from outside the State have done during

the last few years. It is a fairly good agricultural valley.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CONNALLY. Does the Senator want us to defeat the conference report?

Mr. AIKEN. I should like to have the conferees agree.

Mr. CONNALLY. That is not the question.

Mr. AIKEN. I understand that.

Mr. CONNALLY. The question is, Shall we agree to the conference report? Does the Senator want us to reject the conference report?

Mr. AIKEN. I know I cannot have the conference report rejected.

Mr. CONNALLY. I am merely asking what the Senator's purpose is.

Mr. AIKEN. This matter should be cleared up. The Senators from Vermont were very much pleased when the Senate adopted the amendment. They thought they had achieved protection for the West River Valley.

Mr. CONNALLY. Will the Senator yield further?

Mr. AIKEN. I yield.

Mr. CONNALLY. The Senator says he knows he cannot defeat the conference report. If he cannot, what is the use of attempting to kill the report? We must either adopt the report or kill the report.

Mr. AIKEN. I am not trying to kill it. I want Senators to know what they are doing to that valley.

Mr. CONNALLY. I do not know anything in the world about the valley except that it is a beautiful valley. I have driven up and down the valley. The scenery is wonderful. But how that has anything to do with the conference report I do not know.

Mr. AIKEN. I realize I cannot kill the conference report, but I want to make it clear that I never in the world placed the interpretation on the amendment which has been put upon it since it went to conference. If any such interpretation was put upon it before, I was not aware of it.

Mr. CHAVEZ. Mr. President, I do not want to kill the conference report, but I do want the Senator from Vermont to make his position clear. He is not killing any time at all. I want him to take all the time he needs to present his case.

Mr. AIKEN. Mr. President, so I say that I hope the State and the Army engineers will agree that this protection can be afforded by the smaller dams, and be kept within the \$11,000,000. I know it is too late to change the amendment now, but I will say that if any attempt is made to take from Vermont her resources or to destroy her valleys without giving back any compensation whatsoever, I shall fight every such attempt as strongly as I can.

It is almost beyond my understanding, Mr. President, that without hesitation we struck out a dam in North Carolina. Without any hesitation the Senate struck out a dam which the Senator from North Carolina [Mr. BAILEY] wanted eliminated from the bill. There were no conditions about that except that a resurvey could be made. We struck out a dam in West Virginia without any question. We struck out one in Indiana, as I recall,

without qualifications. Yet there is objection to striking out unequivocally the one dam in Vermont which would do a tremendous amount of harm to my State. I know that I cannot kill the amendment now. I have nothing more to say, but I sincerely hope that the big dam which would destroy my valley, never will be built.

The PRESIDING OFFICER. The question is on agreeing to the conference report on House bill 4485.

The report was agreed to.

ESTATE OF CHARLES NOAH SHIPP, DECEASED

Mr. HILL. Mr. President, on the 22d day of June the Senate passed Senate bill 1464, which had been introduced by the distinguished senior Senator from Kentucky [Mr. BARKLEY], authorizing the appropriation of \$7,500 for the relief of the estate of one Charles Noah Shipp, deceased. When that bill went to the House of Representatives, instead of the House acting on the Senate bill, which had been passed last June, it passed a House bill identical with the Senate bill, except that the House bill provides damages in the amount of \$5,361 instead of \$7,500.

I ask that the House bill be laid before the Senate.

The PRESIDING OFFICER laid before the Senate a bill (H. R. 3791) for the relief of the estate of Charles Noah Shipp, deceased, which was read twice by its title.

Mr. HILL. Mr. President, I ask for the present consideration of the House bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill (H. R. 3791) was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Henry A. Schweinhaut, of Maryland, to be an associate justice of the District Court of the United States for the District of Columbia, vice Oscar R. Luhring, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). If there be no further reports of committees, the clerk will state the nominations on the Calendar.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Mrs. Grace Gavin Lewis, to be

register of the land office, The Dalles, Oreg.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HILL. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

That completes the Executive Calendar.

Mr. HILL. I ask that the President be notified forthwith of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE PROGRAM

Mr. WHITE. As in legislative session, may I inquire of the distinguished acting majority leader whether he can tell us what will be before the Senate tomorrow?

Mr. HILL. I will say to the distinguished Senator from Maine that the crop-insurance bill will be the pending business when the Senate reconvenes tomorrow. As soon as we can dispose of that bill, I shall ask unanimous consent that the Senate proceed to the consideration of unobjected-to bills on the calendar, beginning at the point where we left off at the last call of the calendar.

Mr. WHITE. I thank the Senator.

RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 57 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, December 13, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 12 (legislative day of November 21), 1944:

DEPARTMENT OF THE INTERIOR

REGISTER OF THE LAND OFFICE

Mrs. Grace Gavin Lewis to be register of the land office at The Dalles, Oreg.

IN THE NAVY

TO BE VICE ADMIRALS IN THE NAVY, FOR TEMPORARY SERVICE, TO RANK FROM THE DATES INDICATED

Samuel M. Robinson, from January 31, 1942.

Willis A. Lee, Jr., from March 21, 1944.

Theodore S. Wilkinson, from August 12, 1944.

TO BE REAR ADMIRALS IN THE NAVY, FOR TEMPORARY SERVICE, TO RANK FROM THE DATES INDICATED

Ralph S. Riggs, from June 16, 1943.

Ralph E. Jennings, from September 5, 1943.

TO BE A COMMODORE IN THE NAVY, FOR TEMPORARY SERVICE

Bernard L. Austin, to continue while serving as Assistant Chief of Staff to the Commander in Chief, United States Pacific Fleet and Pacific Ocean areas.

TO BE PLACED ON THE RETIRED LIST, WITH RANK OF VICE ADMIRAL

Rear Admiral Wilson Brown, when retired on December 1, 1944.

POSTMASTERS

ILLINOIS

Emma L. Marinko, Alhambra.

Clarence J. Hendron, Clifton.

Hugh Thompson, Dwight.

Ralph O. Johns, Madison.

William Herman Truebe, Pocahontas.

Carroll E. Taylor, Shipman.

LOUISIANA

Mollie E. Walther, Gibson.

MASSACHUSETTS

Arthur K. Bates, Danvers.

MISSISSIPPI

Norma B. Johnston, Enid.

NEW YORK

Mable G. Evans, Branchport.

Agnes C. VanDemark, Brooktondale.

Leo F. Sellers, Burke.

Hildege N. Cataracte, Cadyville.

Francis McDonald, Carle Place.

Hollis F. Stowell, Cassadaga.

Anna V. Herron, Centereach.

Thomas E. Havens, Center Moriches.

Vivian E. Shaw, Chafee.

Elmer B. Weston, Chemung.

Alfred C. Brondstatter, Cold Brook.

Ruth Babcock Henry, Congers.

Nellie S. Andrews, Conklin.

Anna H. Callahan, Constable.

Carl F. Seibel, Durhamville.

Emil Peter Luc, East Williston.

Milo J. Delong, Ellenburg Center.

Mary A. Murphy, Forestport.

John A. Bush, Hartwick.

Pauline Trainor, Heuvelton.

Frances A. Kinney, Locke.

Frank H. Tymeson, Maine.

Ragnhild O. Chester, Mastic Beach.

Edward Phillips, Middleport.

Harry B. Ecker, Mount Tremper.

Francis T. Callan, Mumford.

Mamie C. Foley, Ontario Center.

Helen W. Aumick, Pine City.

George A. Lortscher, Pittsford.

Eunice H. Raynor, Quogue.

Alice M. Smith, Richford.

Alice E. Colburn, Rose.

William E. Worcester, Rotterdam Junction.

W. Paul Blancher, South Lansing.

Helen M. Cronk, Staatsburg.

Joseph F. Marshall, Waterloo.

Lula E. Joyce, West Hurley.

Louise Knapp, Wolcott.

OKLAHOMA

Sloan S. Stringer, Ochelata.

Paul R. Fulfs, Randlett.

PENNSYLVANIA

Laurence A. Gossman, North Girard.

TENNESSEE

Paul E. Sams, Erwin.

House of Representatives

TUESDAY, DECEMBER 12, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, we have been privileged to enter upon a new day filled with many blessings and laden with tasks and responsibilities which challenge the consecration of our noblest manhood and womanhood. May there never be an hour when we shall be recreant to any duty or turn away cowardly from any difficulty.

Grant that in our need of guidance and strength we may avail ourselves humbly and confidently of those resources which Thou hast placed at our disposal. May we be inspired to think clearly and to act courageously in achieving the glorious victory of those ideals and principles of justice and righteousness which Thou hast ordained.

We pray that our President, our Speaker, and all the chosen Representatives of our beloved country may be the honored instruments of the Lord whereby the spirit of good will and brotherhood shall be mediated to the heart of humanity. Help us to pray and labor more fervently for that blessed time when men everywhere shall dwell together in the fellowship and friendship of the Prince of Peace.

Hear us in the name of the Christ our Saviour. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 1033. An act to suspend the effectiveness during the existing national emergency of the tariff duty on coconuts; and

H. R. 5408. An act to amend the Mustering-out Payment Act of 1944, to provide a method for accomplishing certain mustering-out payments on behalf of mentally disabled veterans, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1159. An act creating the City of Clinton Bridge Commission and authorizing said commission and its successors to acquire by purchase or condemnation and to construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Clinton, Iowa, and at or near Fulton, Ill.

The message also announced that the Senate agrees to the amendments of the

House to a bill of the Senate of the following title:

S. 2019. An act to establish the grade of Fleet Admiral of the United States Navy, and for other purposes.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend by own remarks in the RECORD and to include therein an address delivered by the Honorable Manley O. Hudson on the international law of the future.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that at the conclusion of the address of the gentlewoman from Ohio [Mrs. BOLTON] this afternoon I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

EXTENSION OF REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article by Lester Allen which appeared in the Boston Post last Sunday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts.

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a poem.

The SPEAKER. Is there objection to the request of the gentleman from Nevada?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in three instances in the RECORD and to include an article from the Dallas News, the East Texas Chamber of Commerce Journal, and a letter from General Hines.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include several editorials.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

[The matter referred to appears in the Appendix.]

Miss STANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances; in one to include an editorial concerning former Secretary of State Cordell Hull and in the other a statement on the Postal Service employees' increase in salary.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter showing the plight of the farmer and the need of work clothing and gloves.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

[The matter referred to appears in the Appendix.]

THE LATE CHARLES D. MILLARD

The SPEAKER. The Chair recognizes the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, it is with a feeling of profound sorrow that I have just learned of the tragic death of a former Member of this House, the Honorable Charles D. Millard, Republican, of Tarrytown, Westchester County, N. Y., who served in the Seventy-second, Seventy-third, Seventy-fourth, and Seventy-fifth Congresses from the Twenty-fifth Congressional District of New York. Those of us who have been here for some years remember Charlie D. Millard as one of the most popular men in this House. I can almost see him now, for he invariably sat right here in the front row, and he made it his business to see that the House was in order. If the House was ever out of order, he made the point of order to see that it was in order. He rendered a fine service to his district, and was afterward honored by his people as surrogate of Westchester County. He had been retired from his judicial position because of having reached the age limit. He served in Congress with distinction. I sympathize

Mr. MILLER of Connecticut. Was there any reason given to the committee for the language in section 11, which I believe was also in the House bill, that prohibits the use of Federal funds for the relocation of highways giving access to airports?

I have in mind that we have two airports in Connecticut, owned by the State, in connection with which for the duration they have had to close one of the through State highways.

Mr. ROBINSON of Utah. I may say to the gentleman from Connecticut that when the bill passed the House it contained no provision for flight strips; we have eliminated that from the bill. The Senate bill contained a provision for flight strips. The conference report does away with the flight strips, providing simply for the arrangement or concurrence, we might say, of the two organizations with reference to the reconstruction or relocation of any highway giving access to an airport.

Mr. MILLER of Connecticut. Will it be possible, if the Public Roads Administration approves, for the States to use Federal-aid funds on State highways giving access to an airport?

Mr. ROBINSON of Utah. Yes; I think that is correct.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. LUTHER A. JOHNSON. As I understand, the bill contains three different formulas. The first is for Federal-aid roads where the formula remains as it was, one-third, one-third, and one-third; secondly, there is the farm-to-market roads, where the formula has been changed. Will the gentleman explain it?

Mr. ROBINSON of Utah. It too is one-third, one-third, and one-third, only we use the county roads instead of the State roads.

Mr. LUTHER A. JOHNSON. The length of the county roads rather than the length of the State roads.

Mr. ROBINSON of Utah. The gentleman is correct.

Mr. LUTHER A. JOHNSON. Then in the case of urban roads it is on a population basis only and does not take into consideration either of the other elements.

Mr. ROBINSON of Utah. It takes into consideration the population of all cities over 5,000.

Mr. LUTHER A. JOHNSON. I am a little afraid we are getting away from the old formula, one-third population, one-third length of highway, and one-third area which was in the original act of 1916. We have just in recent years begun to depart from that formula, have we not?

Mr. ROBINSON of Utah. No; we have departed from it many times. In some of our bills we have apportioned one-eighth on population. We have not held exactly to the formula.

Mr. LUTHER A. JOHNSON. I thought this was a recent innovation.

Mr. ROBINSON of Utah. It is, so far as apportioning money directly to urban areas is concerned; that is new, but the committees in each House felt it was ab-

solutely necessary to give the cities separate treatment.

Mr. LUTHER A. JOHNSON. How much money will the farm-to-market roads get under this bill?

Mr. ROBINSON of Utah. One hundred and fifty million dollars per annum.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. BONNER. I wish to ask the chairman if there has been any change whatsoever in the requirement of matching funds allocated to the States?

Mr. ROBINSON of Utah. No; I think not. They are required to match funds on a 50-50 basis.

Mr. BONNER. I call attention to section 8:

With the approval of the Federal Works Administrator, not to exceed 1½ percent of the amount apportioned for any year to any State out of the Federal Highway Act, as amended and supplemented, except sections 3 and 23 thereof.

It states may be matched or may not be matched. What does that mean? It reads:

Shall hereafter be used with or without State funds for surveys—

And so forth. That is with matching or without matching.

Mr. ROBINSON of Utah. That is where they used it simply for planning.

Mr. BONNER. Which States will be required to match and which not?

Mr. ROBINSON of Utah. As I understand, none of the States will be required to match.

Mr. BONNER. There will be no matching requirement whatsoever for planning.

Mr. ROBINSON of Utah. The gentleman is correct.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. CASE. First, I wish to express my appreciation to the conferees in retaining the amendment authorizing construction and maintenance of Indian reservation roads, which was adopted when the bill was before the House. Now, then, I wish to ask the chairman the reason for reducing from 2 years to 1 the period of time in which a State may match its allotments of Federal aid.

Mr. ROBINSON of Utah. We have not done that; they still have 2 years. The way we had it before it was on the date of apportionment. Under the bill as agreed to in conference the States will really have 2 years.

Mr. CASE. I think it is well to have that explanation in the RECORD because the conference report changes the language in paragraph (d) of section 4 from 2 years to 1 year and on the surface it would appear to be reducing the matching period that much.

Mr. ROBINSON of Utah. It is apportioned every year. We think as it is now we have really given the States 2 full years.

Mr. WHITTINGTON. There was some question and the language of the confer-

ence clarified it so as to make it definite with reference to the extended time.

Mr. RANKIN. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Mississippi.

Mr. RANKIN. I refer to subsection (b) of Section 10, where we doubled the amount of funds for the construction and maintenance of parkways, such as the Natchez Trace, Blue Ridge, and so forth, raising it from \$15,000,000 to \$30,000,000. I understand the conferees have agreed to that amendment?

Mr. ROBINSON of Utah. That is correct.

Mr. RANKIN. Just as it was adopted by the House?

Mr. ROBINSON of Utah. That is correct.

Mr. O'CONNOR. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Montana.

Mr. O'CONNOR. It occurs to me that the committee has done splendid work and the gentleman is to be congratulated on the work he has done in connection with procuring funds for roads in States like my own State and his State, following long and extensive hearings. Referring to paragraph (b) on page 3 of the report where it says "one-third in the ratio which the area of each State bears to the total area of all of the States," I feel confident the gentleman has made a study of just what that means.

Mr. ROBINSON of Utah. That is the law as it has been since 1916.

Mr. O'CONNOR. What proportion of that fund for feeder roads and county roads would the States have to provide?

Mr. ROBINSON of Utah. They match this on a 50-50 basis, all of it.

Mr. O'CONNOR. The whole works?

Mr. ROBINSON of Utah. All of it; yes.

Mr. THOMASON. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Texas.

Mr. THOMASON. Did the conferees retain the provision about Federal aid for approach roads to national parks?

Mr. ROBINSON of Utah. Yes.

Mr. THOMASON. In those cases the Federal Government pays the entire amount?

Mr. ROBINSON of Utah. That is correct.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Oklahoma.

Mr. WICKERSHAM. Can the Chairman assure me that States like Oklahoma that have set up their tax structure along certain lines for a number of years will not be affected?

Mr. ROBINSON of Utah. Under this bill they are treated the same as they have been treated under previous highway bills.

Mr. MILLER of Connecticut. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Do I understand the report correctly that as

agreed upon not more than one-third of the cost of rights-of-way will be paid by Federal funds?

Mr. ROBINSON of Utah. That is correct. Under the House bill we paid one-half of the costs of the rights-of-way and under the Senate bill none was provided. This is a compromise between the House and Senate bills.

Mr. MILLER of Connecticut. Is that not going to make it difficult for congested areas to provide their part of the funds where the cost of rights-of-way is very, very important and mighty expensive?

Mr. ROBINSON of Utah. I agree with the gentleman and I was in sympathy, of course, with the 5t percent, but the Senate did not provide for any Federal contribution and we thought it was better to get one-third than nothing at all.

Mr. MILLER of Connecticut. From zero to 33 1/3 percent, I suppose is a good compromise.

Mr. IZAC. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from California.

Mr. IZAC. Will the gentleman assure the House that the location of the highways under this allocation of funds will be up to the highway commissions of the various States?

Mr. ROBINSON of Utah. The bill so provides. There is no question about that. The State highway commissions will have the say as to the location of the roads in the various States.

Mr. HARRIS. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Arkansas.

Mr. HARRIS. As I understand it, the original language of the bill has been adopted with reference to when the bill will become effective, namely, at the termination of the present emergency?

Mr. ROBINSON of Utah. We adopted that with an amendment. We have changed it somewhat, but it has the effect of our amendment.

Mr. HARRIS. It will be following the termination of the present emergency and not a specific time as was provided by the amendment offered in the House?

Mr. ROBINSON of Utah. That is correct.

Mr. KEEFE. Will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I have not had time to read this report in its entirety. Will the gentleman state whether or not the provision inserted in the House bill providing against diversion of State taxes for highway purposes, gasoline taxes, and so forth, is incorporated in the present bill and what the effect of that is?

Mr. ROBINSON of Utah. We have maintained the same law. We have kept the provision in and really made it apply to all of the funds, and the same law with respect to diversion that now exists will apply to the funds carried in this bill.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield to the gentleman from Ohio.

Mr. JENKINS. I have in my hand a copy of the bill, and on page 14 I find

this language which I do not quite understand:

The authorization for the first post-war fiscal year shall be apportioned among the States within 30 days from the passage of this act.

That does not mean that you are going to pay out any of this money within 30 days from the passage of this act, does it?

Mr. ROBINSON of Utah. It is just apportioned.

Mr. JENKINS. What does the word "authorization" in this section mean?

Mr. ROBINSON of Utah. It means that we tell the Commissioner of Public Roads that he can tell the States just how much they will receive under this bill.

Mr. JENKINS. In other words, within 30 days after this law is passed, it will be Mr. MacDonald's duty to compute what each State is entitled to, and to publish this authorization or allocation.

Mr. ROBINSON of Utah. That is right.

Mr. JENKINS. I thank the gentleman.

Mr. ROBINSON of Utah. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FLOOD CONTROL, PUBLIC WORKS

Mr. WHITTINGTON. Mr. Speaker, I call up the conference report on the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, and ask unanimous consent that the statement on the part of the managers of the House be read in lieu of the report.

For the information of the Members, I might state that the report is found on page 9309 of the RECORD.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 11, 1944.)

Mr. WHITTINGTON. Mr. Speaker, the House will recall that this bill passed the House on May 9 with authorizations for flood-control works for post-war construction aggregating \$810,000,000. It passed the Senate on December 1. When passed by the Senate, it included projects on which the Chief of Engineers had submitted favorable reports that had been transmitted to the Congress since the passage of the bill in the House and before the report of the Senate Committee on Commerce.

The conference agreement eliminates four projects that were in the bill as it passed the House or as it was reported to the Senate. It eliminates for further consideration the Yadkin-Pee Dee project in North Carolina, at an estimated cost of around \$11,000,000. It eliminates the reservoir at Raystown, at an estimated cost of \$21,000,000. It eliminates

the Rawlesburg Reservoir on the Cheat River, at an estimated cost of \$30,000,000, and the improvement along the Youghiogheny, at an estimated cost of \$38,000,000. This was done on the theory, after further consideration, that a majority of these projects probably have more power than flood control in them, and on the further theory that interested areas desire a review and further study of these three projects.

The House will also recall, Mr. Speaker, that in the consideration of this bill both in the House and the Senate the chief controversy centered around the projects for the improvement of the Missouri Basin.

After the passage of this bill and before the final passage in the Senate, there was a reconciliation of the views of the Chief of Engineers and the Director of the Bureau of Reclamation, and that reconciliation was transmitted to the Congress by the President on November 27, 1944, after the bill was reported in the Senate, and it is found in House Document 784, Seventy-eighth Congress, second session.

The conference agreement contains the reconciliation of the views as between these two agencies of the Government and provides for the construction of the works that are predominantly flood control by the Chief of Engineers and for the construction of the works that are predominantly reclamation by the Bureau of Reclamation. In a word, the conference agreement retained the so-called O'Mahoney amendment embodied in the bill as it passed the Senate, agreed to, as we understand, generally, by all of the conflicting interests in the Missouri River Basin. It retains the authorization of \$200,000,000 for flood control work under the Chief of Engineers as passed by the House and it provides for an authorization of \$200,000,000 for reclamation projects under the Bureau of Reclamation.

The House will also recall that when this bill passed the House there was no provision for the present disposition of power generated in any of the dams authorized to be constructed by the War Department. There was a great deal of debate in the Senate with respect to that question. The so-called Bailey power amendment was debated at length. The conference agreement provides for the disposal by the Secretary of the Interior of the surplus power generated at the projects under the control of the War Department in substantially the same language which now obtains in legislation previously passed by the Congress for the disposal of power at Bonneville, at Fort Peck, and under Executive orders for the disposal of power in the Southwest at the reservoirs at Dennison, Pensacola, and Norfolk, with amendments to the language as agreed to in the conference to the Senate amendment. Three amendments were agreed to in the conference. The first provides that the rates shall give consideration to the cost of producing and transmitting power so that there may be the recovery of reasonable amortization of the cost. Secondly, it provides that these funds that are derived from the sale of power shall

be deposited to the credit of miscellaneous receipts in the Treasury. And the third provides that the provision for disposition and for transmission lines shall be by appropriations to be made by Congress. It also provides that transmission lines and related facilities can be acquired by purchase or other agreement.

There was another matter, Mr. Speaker, that was in controversy to some degree in the House and to a greater degree in the Senate, and that was the authorizations with respect to dams in the Connecticut River Basin. The language as agreed to in the amendment of the Senate by the interested Senators and Representatives from the New England area is substantially retained in the conference agreement.

I might add, Mr. Speaker, that there are included in the bill as recommended by the Chief of Engineers, between the passage of the bill by the House and the final passage of it by the Senate, by Senate amendments, projects aggregating about \$185,000,000 for construction under funds hereafter to be appropriated. The bill as it finally passed the Senate carried an authorization of \$959,465,000. As stated in the conference agreement, the authorizations aggregate \$950,000,000, a reduction of substantially \$10,000,000 from the bill as passed by the Senate. The projects in Senate amendments embraced in the conference agreement are in accordance with the recommendations of the Chief of Engineers, in about two instances being substantially in accord with his recommendations.

I extend by saying that the House agreed to amendment No. 1, as modified, by eliminating the first paragraph, which is the so-called McClellan amendment in the Senate with respect to the declaration of policy, which declaration may be changed by subsequent legislation, as a part of the compromise agreed to by the conflicting interests in the Missouri River Basin. This amendment provides for a recognition of the interests and rights of the States for a review of reports of the Chief of Engineers and of the Secretary of the Interior by the States affected and for comments by such affected States, their written views becoming a part of the report. This amendment provides that in connection with the operation and maintenance of projects authorized in this act, the use of water of the Western States for navigation shall not conflict with beneficial consumptive use of water for domestic, municipal, stock-water, irrigation, mining, or industrial purposes. The amendment thus becomes section 1 of the bill as agreed to in conference and is intended to protect and safeguard the rights of the States and at the same time to promote flood control and navigation under the commerce clause of the Constitution.

Amendment No. 18, now section 9 (a) of the bill as agreed to in conference, authorizes the comprehensive plans for the development of the Missouri River Basin proposed by the War Department and the Department of the Interior as coordinated by the joint report of the Chief of Engineers and the Commissioner

of Reclamation in Senate Document No. 247, Seventy-eighth Congress, second session, and it authorizes the appropriation of \$200,000,000 to be expended by the Corps of Engineers and \$200,000,000 to be expended by the Secretary of the Interior for the partial accomplishment of the works authorized in this section, to be undertaken by the Corps of Engineers and by the Secretary of the Interior. This section replaces the item in the House-approved bill which authorized \$200,000,000 for the partial accomplishment of the comprehensive plan for flood control in the Missouri River Basin. The Senators recently accepted an amendment in substantially the same language in the river and harbor bill now pending in the Senate to provide duplicate authorization for the coordination for the comprehensive plan for the Missouri River Basin. I emphasize that such duplicating authority is undesirable. I report that the Senate conferees have given assurance that if this conference report is approved by the House and Senate, the duplicating item will be eliminated from the river and harbor bill.

In connection with amendment No. 1, which has become section 1 of the bill as agreed to in conference, in further protection of the rights and privileges of the States, in the event either the affected State or the Secretary of War makes objections to the plans or proposals of the Secretary of the Interior, his proposal shall not be deemed feasible, and the proposed work shall not be deemed authorized except upon the approval by an act of Congress, and section 9 (a) of the Reclamation Project Act of 1939 and section 3 (a) of the act of August 11, 1939, as amended, are accordingly amended by said amendment No. 1, which has become section 1 of the bill.

Section 9 (a), authorizing the Missouri River Basin improvement, provides, as I have indicated, that the works that are predominantly flood control shall be constructed by the Chief of Engineers, and the works that are predominantly reclamation shall be constructed by the Bureau of Reclamation.

In connection with the Connecticut River Basin covered by amendment No. 26, agreed to as modified by stipulating that the Secretary of War is to determine the total cost of the alternate plan for the so-called Williamsville Reservoir, the amendment authorizes the substitution of an alternate plan for the Williamsville Reservoir provided the Chief of Engineers finds that the total cost of the alternate plan will not exceed \$11,000,000, and provided the Secretary of War and Chief of Engineers approve the alternate plan. The effect of the amendment is that if the so-called eight-reservoir alternate plan does not satisfy the requirements of the amendment, the Chief of Engineers is authorized to proceed with the construction of the Williamsville Reservoir for flood control. The further effect of the amendment is that a subsequent report and authorization by Congress must be made before the projects at Cambridgeport, Ludlow, South Tunbridge, and Gaysville can be

built. The amendment prohibits the construction of a dam or reservoir at the Sugar Hill site on the Ammonoosuc River, but it is understood that an alternate site is under study and, if found feasible, authority exists for the initiation of such a project.

The Savannah River project is embraced in amendment No. 32, inserted by the Senate, and it approves a comprehensive development of the Savannah River Basin for flood control and other purposes and authorizes the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia. In the pending river and harbor bill, H. R. 3961, as passed by the House, there is an item for the Savannah River, the effect of which is to provide duplicate authorization for the Clark Hill Reservoir. Such duplication is undesirable, and the Senate conferees have given assurance that if this report is approved by the House and Senate this duplicating item will also be eliminated from the river and harbor bill.

The conference report eliminates Senate amendment No. 36 to modify the Trinidad project to include upstream reservoirs. The conferees believe that a modification of the amendment adopted by the Senate should be undertaken only after a full report has been submitted by the Chief of Engineers and authorization by Congress. The appropriate investigation and report to Congress are now in progress.

Senate amendment No. 44 was eliminated, inasmuch as the Chief of Engineers is now making an investigation of possible alternate projects and, if found feasible, will recommend them as substitutes for the Tuttle Creek project. If a substitute is not recommended and adopted and if alternates are found to be infeasible, the construction of the Tuttle Creek Reservoir to protect the Kansas Citys remains. In other words, the Tuttle Creek project will remain authorized and be available for selection for future construction.

As I have indicated, amendment No. 9, as modified, authorizes the Secretary of the Interior to dispose of electric energy generated at reservoir projects under the control of the War Department and not required in the operation of such projects. The Secretary of the Interior is authorized from appropriations to be made by Congress to construct or acquire by purchase or other agreement only such transmission lines and facilities as may be made necessary in order to make the power available in wholesale quantities for sale on fair and reasonable terms. The rates are to be approved by the Federal Power Commission. The formula established by law for the Bonneville project is followed so that the rate schedules shall be drawn with regard to recovering to the Government the cost of producing and transmitting the electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years. Preference is given to public bodies and cooperatives. Sound business principles are to govern the transmission and disposal of surplus power. Congress retains control over the construction and acquir-

ing of transmission lines and related facilities, inasmuch as funds must be provided hereafter by Congress for such lines and facilities. They may be constructed, but they can only be acquired by purchase or other agreement.

The bill as passed by the House included the soil erosion and water-flow retardation projects favorably recommended in reports submitted to Congress by the Department of Agriculture. Subsequent favorable reports have been submitted to Congress since the bill passed the House and were included by Senate amendments. The conference agreement authorizes the approval of the projects as recommended by the Department of Agriculture. The bill provides that the balance remaining from the authorization of \$10,000,000 in section 7 of the Flood Control Act approved June 23, 1938, shall be available for the prosecution of the works authorized for construction by the Department of Agriculture with the provision that not more than 20 percent of the authorization is made available on any one project.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to interrogate the gentleman from Mississippi, my distinguished colleague, about amendment No. 9, I believe it is, with reference to the disposition of the electric power generated at these projects.

Is this amendment as it is printed in the copy of the bill now available to the Members, the complete amendment?

Mr. WHITTINGTON. As I stated a few moments ago, that amendment embraces language as it passed the Senate, or the Senate amendment, with three modifications which I mentioned in detail. The first modification was that all moneys derived from the sale of power by the Secretary of the Interior shall be deposited in the general fund of the Treasury. The second amendment was that he could acquire transmission lines or related facilities by agreement with the owner—by purchase and by agreement with the owner. The third amendment to the Senate amendment, agreed to in the conference contains this language that does not appear in the Senate amendment:

Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years.

That is the identical language that is contained in legislation heretofore passed by this body for the disposal of power at Bonneville.

Mr. RANKIN. Now, right on that point I want to ask the gentleman another question. I thoroughly agree with that principle because it is fundamentally sound. That provision applies to all projects provided for in the bill where power is to be generated, does it?

Mr. WHITTINGTON. Wherever generated by the War Department.

Mr. RANKIN. All projects provided for in this bill?

Mr. WHITTINGTON. That is, that are constructed by the War Department. There may be in some of the reclamation projects power developed that will be disposed of in accordance with existing reclamation law.

Mr. RANKIN. Now, right there is one trouble we are up against. The cooperative power associations are having to pay higher rates for power generated at dams built by the Bureau of Reclamation than they are paying at other dams constructed by the Federal Government. I wondered why an exception was made as to them.

Mr. WHITTINGTON. We have made no exception. This bill deals with projects that are constructed by the Corps of Engineers. We have limited our amendment, and I think properly, to those projects.

Mr. RANKIN. This applies to all proposed projects on the Missouri River, as I understand?

Mr. WHITTINGTON. Yes; to be constructed by the Chief of Engineers.

Mr. RANKIN. And also on the Connecticut River?

Mr. WHITTINGTON. Yes; to be constructed by the Chief of Engineers.

Mr. RANKIN. In other words, at all projects provided for in this bill, which generate electricity, the electricity is to be turned over to the Department of the Interior to be distributed to public bodies, which, of course, includes municipal bodies which own their own facilities—I presume that is right; is it not?

Mr. WHITTINGTON. Yes; to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. RANKIN. In other words, all public bodies, whether owned by the Federal Government, cooperative power associations, or municipally owned systems are to be able to purchase this power at such a rate as will amortize only that part of the development charged to power. That is correct, is it not?

Mr. WHITTINGTON. That is true with respect to all projects constructed by the Chief of Engineers.

Mr. RANKIN. In other words we do not propose to unload onto the power consumers the costs of flood control, navigation, and reclamation?

Mr. WHITTINGTON. Not at all. I may say further in answer to the gentleman's question, there is preference to the public bodies and cooperatives in this bill and in this agreement, just as there is in the existing law passed by this body on the disposal of power at Bonneville.

Mr. RANKIN. And by the Tennessee Valley Authority.

Mr. WHITTINGTON. I cannot say about the Tennessee Valley Authority because this bill has no control over disposal of power by the Tennessee Valley Authority.

Mr. RANKIN. I understand, but I was coauthor with Senator Norris of the bill creating the Tennessee Valley Authority, and that was the understanding we had, even before the bill was ever introduced.

Mr. WHITTINGTON. I am afraid, if this bill covered all projects including the Tennessee Valley Authority, that the gentleman would have objected; so we have confined it to the projects constructed by the Corps of Engineers.

Mr. RANKIN. This provision of the law would not in any way interfere with the power generated either on the Columbia River or on the Tennessee River.

I wish to congratulate the conferees, and also the Senate, on this great step forward in protecting the power consumers in the use of the electricity generated at the projects provided for under this bill.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. REED of New York. I assume that it will expedite the survey of flood conditions on Cattaraugus Creek that are causing so much damage to the village of Gowanda, N. Y., and also the survey of the Genesee River and a tributary in Wellsville, N. Y., and to have each of these projects handled as they have been by resolutions rather than in this legislation now under consideration.

Mr. WHITTINGTON. Yes; the gentleman is referring to a matter that may be handled in one of two ways, one by consideration in this bill to provide for examination and survey, or by a resolution of the Flood Control Committee for review; and the quickest way to handle it in his case was by resolution, and the resolutions were adopted, providing for reviews of both vicinities. Upon the submission of favorable reports, the Flood Control Committee will give consideration to authorizing the projects in the next authorization bill.

Mr. CARLSON of Kansas. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kansas.

Mr. CARLSON of Kansas. I call attention to amendment No. 44. The conferees rejected the Senate amendment which had authorized the Tuttle Creek Reservoir. I wonder if the chairman would tell us the reason for eliminating that amendment?

Mr. WHITTINGTON. In response to the gentleman's question I may say that the reasons are set forth on page 11 of the report dealing with amendment No. 44. That project was included in the Flood Control Act some years ago. It protects one of the most populous and valuable areas not only in the Missouri Basin but in the entire country. Among other municipalities that are protected are those of Kansas City, Mo., and Kansas City, Kans. The committee felt that inasmuch as this project had been carefully considered by Congress that it would be unwise utterly to ignore the recommendation of the Chief Engineer, because the amounts authorized for expenditure for local protective works would be futile without adequate provision to supplement those works by reservoirs above and I would say to the gentleman that the Chief of Engineers, as stated in this report, is now making an investigation of possible alternate projects under authority previously given to him. If the Chief of Engineers finds he

can construct other projects that will give the same relief he will so report; and our thought is that every possible consideration has been and will be accorded to those who oppose the project. It often happens that projects are opposed by those whose lands are taken and whose property is taken by the Government—fully compensated in this case as in others. In my judgment that is as far as the committee was warranted in going.

Mr. CARLSON of Kansas. I may say the conferees gave this consideration. I want to mention, however, that in view of the fact that it is going to receive further study by the engineers, I sincerely hope they will go into the fact that the construction of this large reservoir would inundate seven towns and eliminate a large area of valuable real property. With the chairman's assurance that this is going to be done I am not going to insist that it go back to conference.

Mr. WHITTINGTON. I may say that I am in entire sympathy with the gentleman. We have been told the exact number of citizens who would be affected and the villages that would be inundated, and we gave full consideration to these facts; but when all has been said and done we must either follow or not follow—after consideration if a project is to be adopted—the agencies of the Government making the investigation. We felt, as the gentleman from Kansas [Mr. CARLSON] has suggested, we should provide for a restudy, that is now being made, and the committee will be glad to give it consideration as soon as it is reported.

Mr. CARLSON of Kansas. Mr. Speaker, I ask unanimous consent to extend at this point in the RECORD the preliminary survey of the Big Blue River, Kans., submitted by the Chief of Engineers on March 4, 1938.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

(The matter referred to follows:)

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, March 4, 1938.

Subject: Preliminary examination of Big Blue River, Kans., with a view to the control of floods.

To: The Secretary of War.

1. I submit for transmission to Congress my report with accompanying papers on preliminary examination of Big Blue River, an affluent of the Kansas River, and its tributaries, with a view to the control of their floods, authorized by an act of Congress approved June 4, 1936, and by the Flood Control Act approved June 22, 1936.

2. The Big Blue River rises in southeastern Nebraska, flows generally southeast 283.3 miles into Kansas, and joins the Kansas River at Manhattan 142.5 miles above its mouth. It drains an area of 9,600 square miles of gently rolling uplands devoted primarily to agriculture. The basin has a population of about 230,000 and is adequately served by railroads and highways.

3. No damaging floods of major importance have occurred on the Big Blue River in the period of record, but studies indicate that floods substantially greater than any recorded are a distinct probability. Flood flows from the Big Blue River are also a factor in Kansas River floods. Some 60,000 acres in the

Big Blue Basin are subject to flooding and of the 36 towns located within the flood plain proper, 6 have experienced extensive flooding in the past. Flood damages are estimated to average \$97,000 annually. No protection works of importance have been undertaken in the basin. Local interests desire construction of a series of reservoirs for the purpose of controlling floods within the basin and on the Kansas River, but no indication has been given of willingness to provide funds for lands and damages incident to such works.

4. The district engineer reports that levees for the protection of municipalities are not justified and channel rectification as a means for reducing flood heights would be ineffective. The plan found most suitable for controlling floods on the Big Blue River provides for the construction of four reservoirs controlling 40 percent of the drainage area. While this plan would prevent about 60 percent of the flood losses in the basin and would be of value in reducing floods on the Kansas River, the cost of the project would greatly exceed the flood losses that would be prevented thereby. It is found impracticable to combine power development with flood-control reservoirs for the purpose of reducing the over-all costs of the project. The district engineer concludes that there is not sufficient justification for the control of floods on the Big Blue River and its tributaries, and recommends that no survey be made. The division engineer concurs.

5. The reports have been referred, as required by law, to the Board of Engineers for Rivers and Harbors, and attention is invited to its report herewith concurring in the views of the district and division engineers, and reporting that control of floods of the Big Blue River is impracticable, and that a survey is not warranted.

6. After due consideration of these reports I concur in the views of the Board. While there is a distinct possibility of floods much greater than any of past record occurring on the Big Blue River and its tributaries, flood losses that may be expected under existing conditions of development in the basin do not warrant the high cost of a reservoir system necessary for the control of floods. Levees for the protection of municipalities also would cost considerably more than is justified by the damages that would be prevented thereby. Available data permit a full understanding of the flood situation, and additional studies are not required. I therefore report that control of floods of the Big Blue River and its tributaries in Nebraska and Kansas is impracticable, and that a survey is not warranted.

J. L. SCHLEY,

Major General, Chief of Engineers.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield.

Mr. CURTIS. It should be said, in reference to the Blue River system, that not only has the committee authorized an additional storage proposition in connection with Tuttle Creek but that proposition is already under way and the engineers are on the work in the river basin now.

Mr. EDWIN ARTHUR HALL. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I want to call the gentleman's attention on page 46 to a number of projects for which surveys are to be made after the war with particular reference to possible flood-control improvement, and I thank the gentleman and his committee for including the Susquehanna River in

the vicinity of Endicott, Johnson City, and Vestal.

Mr. WHITTINGTON. I may say to the gentleman that the construction of works will occur during the post-war period but that examinations and surveys are now being made and there will not be any delay until the post-war period so far as these examinations and survey reports are concerned.

Mr. EDWIN ARTHUR HALL. I am safe in assuming, however, if a favorable survey is made of these sections, there will be improvement after the war?

Mr. WHITTINGTON. They will be considered by the Committee on Flood Control. I emphasize that funds are now available for preliminary examination and surveys previously authorized, as well as now authorized in this bill.

Mr. O'CONNOR. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Montana.

Mr. O'CONNOR. As a member of the distinguished gentleman's committee I heard all of the testimony with reference to the Army engineers and the Bureau of Reclamation with reference to the Missouri River Basin, and I take it that amendment No. 18, which appears in the amended bill, is what is known as the O'Mahoney amendment?

Mr. WHITTINGTON. I so stated.

Mr. O'CONNOR. I want to see if the chairman agrees with me on this: My recollection of the testimony is that there was very little variance between the contentions of the Army engineers and the Bureau of Reclamation on the proposition incorporated in the O'Mahoney amendment?

Mr. WHITTINGTON. The gentleman is correct. There was substantially no difference on the engineering works proposed. The only difference was a question of who was going to construct them.

Mr. O'CONNOR. Is it not true it was largely a newspaper fight over practically no contention between these departments?

Mr. WHITTINGTON. I may say to the gentleman that the newspapers, according to the information I have, did not neglect their opportunity.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Oklahoma.

Mr. WICKERSHAM. Am I right in my assumption that the entire Ouachita River watershed project is retained, including cost of acquisition of the land?

Mr. WHITTINGTON. It is as passed by the House.

Mr. WICKERSHAM. I want to thank the chairman on behalf of the Oklahoma delegation for that, and I wish to thank him individually for retaining in the bill the amendments which I submitted and which the gentleman presented during debate on this matter.

Mr. CASE. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from South Dakota.

Mr. CASE. I wish to congratulate the gentleman and the members of his committee on the monumental work they have achieved by their year-long labors in hearings and conferences necessary to

bring about agreement on the many matters in this bill, and particularly those involved in the Missouri River program. This will bring into the national picture for the first time a flood-control and river-use project in the great north central part of the country. It will inaugurate a new era in the life of the largest river basin of the Nation. Now, then, I would like to ask the gentleman one question. My understanding of amendment No. 9 relating to power is that it centralizes the disposition of power generated in the dams in the Secretary of the Interior?

Mr. WHITTINGTON. That is right.

Mr. CASE. And limits him in the construction or acquisition of lines to such lines as are necessary for distribution on a wholesale basis?

Mr. WHITTINGTON. Exactly so. I am glad that the gentleman brings this matter to my attention. I should have pointed out that therein is the difference between the sale of power generated at some of the other dams. This disposal is limited to wholesale. I may say that in my judgment the provision is entirely proper.

The House will recall that the Senate spent much time in considering the so-called Bailey amendment which would have restricted the disposal of the power to the dam site which I think would have been unsound.

Mr. CASE. The limitation to wholesale distribution seems to me to be an appropriate compromise. The Secretary of the Interior, thereby, will not be urged or tempted to go into competition with the R. E. A. or any other distributing agency, private or public, yet should be in a position to extend the use of the power to the maximum public benefit through whatever distributor is interested and available.

Mr. CHENOWETH. Will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I call the attention of the distinguished chairman to amendment No. 36 relating to a project at Trinidad, Colo., wherein the conferees eliminated an amendment adopted by the Senate which provided for the Army engineers to make a further study of this project and to recommend a reservoir up the river if found feasible. Will the gentleman explain why this amendment was stricken.

Mr. WHITTINGTON. The amendment proposed by the Senate was eliminated among other reasons because there is no limit as to the cost of the substitute. It would be possible for almost every project to have a substitute unless there was the further stipulation that the cost of the substitute did not substantially exceed the cost of the original project. We were advised by the Chief of Engineers that if that proviso had been included as a part of the conference agreement it would mean that there would be no construction of the substitute project until he, the Chief of Engineers, came back to Congress and obtained further authority. In view of the fact that the House provision had been most liberal and had followed the idea of the Chief

of Engineers who recommended the elimination of \$60,000 of the local contribution recommended by the district engineer for flood control, the conferees felt the interest of Trinidad would be better served by retaining the House provision, knowing that at present, under an existing authorization, there is a review being made, and if that on re-examination a substitute could be recommended in accordance with the desires manifested in the Senate amendment, it could be considered by the two committees of the House and Senate for subsequent authorization.

Mr. CHENOWETH. Do I understand the conferees to be in accord with the provision that there shall be a review of this project by the Army engineers and a report made of their findings at a later date?

Mr. WHITTINGTON. Yes; the Chief of Engineers so advised us.

Mr. CHENOWETH. And if the engineers do not now have that authority, it will be provided. I might state the district engineer at Albuquerque has already attended several conferences in Trinidad relative to including a reservoir in this project, and I understand the Army engineers are favorable to a review.

Mr. WHITTINGTON. The gentleman may get that authority by request for a proper resolution from the Committee on Flood Control.

Mr. NORRELL. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Arkansas.

Mr. NORRELL. If the gentleman will turn to amendment 33 on page 21, as I understand the Arkansas River is considered a part of the main channel of the Mississippi River up to the vicinity of Pine Bluff. I am wondering if that language is sufficiently broad to give the Army engineers the power to reimburse for set-back levies on the north as well as on the south bank of the Arkansas River?

Mr. WHITTINGTON. No; that was never contemplated, and the original act of August 18, 1941, does not make any such provision.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 3 additional minutes.

The amendment to which the gentleman refers is limited entirely as heretofore to the main line Mississippi River levees. It does not have application to any other river.

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Oregon.

Mr. ANGELL. Am I correct in understanding that under the provisions as agreed upon by the conferees, the Secretary of the Interior has the power either to buy transmission facilities or construct them and to dispose of power at wholesale?

Mr. WHITTINGTON. Yes; he has the power to construct or acquire by purchase or other agreement, but the funds have to be provided by the Congress of

the United States, and the Congress thus retains the purse strings of the Treasury—

Mr. ANGELL. It does not affect any project on the Columbia River?

Mr. WHITTINGTON. No; it does not.

Mr. BENNETT of Missouri. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Missouri.

Mr. BENNETT of Missouri. Is it true that this report nowhere changes the status of the so-called Osceola Reservoir on the Osage River in Missouri?

Mr. WHITTINGTON. It does not, because that project was not at issue in the conference.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Mississippi.

Mr. RANKIN. In response to a statement made a moment ago may I say that neither the Tennessee Valley Authority, nor the Bonneville Administration, nor the Authorities in charge of Boulder Dam are engaged in the retail distribution of power. That power is sold wholesale. The power generated by the Tennessee Valley Authority is delivered wholesale to municipalities or co-operative power associations, and they distribute it. The same thing is true at Bonneville and Grand Coulee on the Columbia River and at Boulder Dam on Colorado River. I did not want the impression left here that these Authorities were engaged in the retail distribution of electricity.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Ohio.

Mr. JENKINS. I think amendment numbered 9 is very significant. Would it be safe for me to assume from this language that this bill pronounces the power policy of the Nation? Heretofore, as I understand it, we have never had any pronouncement of our national power policy. But by this language you practically announce a power policy for the Nation. I think I can see in the language an effort to be cautious and careful. I think you should have been even more careful, for heretofore I think those responsible authorities in the Government have been very careful not to commit the Government to any definite policy.

May I ask the gentleman this question? Suppose there is a project now that is being built and it can be built without equipment to manufacture power. Does the gentleman mean that the Secretary of the Interior would have sufficient authority under this bill to compel the building of that project so that he would have power-generating facilities?

Mr. WHITTINGTON. He has no authority whatsoever with respect to the construction. The necessity for this language is this: In some of these reservoirs that are authorized to be constructed there is a generation of power. The concrete proposition that confronted our committee was this: Shall we authorize these projects where power is incidental and make no provision for the

disposal of it, or shall we leave it to the President of the United States to set up an executive authority as he has done in Arkansas, Texas, and Oklahoma?

Mr. JENKINS. The gentleman has outlined a case I have in mind exactly. Suppose the Secretary of War says, "I do not think this project should be equipped with power facilities," and the Chief of the Army Engineers says, "I do not think it should be done," but the Secretary of the Interior comes along and says, "I know it has great possibilities of power, and I think it should be done," and he seeks the aid of the President and the President encourages it until it is done. Does not that settle the matter so that one could reasonably conclude that this bill does fix and announce a policy that the Secretary of the Interior and the President can control the power policy of the Nation?

Mr. WHITTINGTON. We have settled that. We have said that the matter of power is to be passed on by the Chief of Engineers and by the Federal Power Commission. We have provided that there shall be a transmittal of projects hereafter so that each can get the benefit of the other's views. I may say in reply to the gentleman's question that the Secretary of the Interior has no control whatever over the construction of any dam under the control of the War Department.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. WHITTINGTON. Mr. Speaker, I yield myself 2 additional minutes.

Mr. JENKINS. Can the Secretary of the Interior under the language and authority of this law build a foundation upon which he and the President can scatter some more T. V. A.'s all over the nation? I should hope it does not.

Mr. WHITTINGTON. No; he has no power whatever with respect to building and construction, and his power is limited only to the sale and transmission of the excess power generated at dams authorized and constructed by the War Department.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Kentucky.

Mr. MAY. I was about to inquire along the line of the question of the gentleman from Ohio [Mr. JENKINS], whether or not this bill established the Federal policy of this Government with respect to the manufacture, sale, and distribution of power.

Mr. WHITTINGTON. I would say it is confined only to the projects where power is to be generated, at reservoir projects under the control of the War Department not required for the operation of the projects.

Mr. MAY. In each instance each project is controlled by the provisions of the bill?

Mr. WHITTINGTON. That is correct. It might be changed hereafter by Congress.

Mr. MILLER of Connecticut. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. I direct attention to amendment 26, the Connecticut River project. In reading the Senate debate, I noticed that Members of the other body paid a very well-deserved tribute to the efforts of the gentleman from Massachusetts [Mr. CLASON]. I understand that on their invitation the gentleman from Massachusetts [Mr. CLASON] joined in the conferences over there and worked out this compromise, which I understand is not only satisfactory to Vermont but perfectly satisfactory to Connecticut.

Mr. Speaker, I ask unanimous consent to insert as part of my remarks at this point the observations of the two Members of the Senate commending the efforts of the gentleman from Massachusetts [Mr. CLASON].

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. WHITTINGTON. I yield to the gentleman from Missouri.

Mr. COCHRAN. On the White River project \$45,000,000 additional is authorized. Does that include the construction of two additional dams in connection with the Norfolk Dam?

Mr. WHITTINGTON. That includes the \$45,000,000 that may be used on the two additional dams to be selected by the Chief of Engineers. There was nothing in dispute as to this item in conference. The authorization is just as it passed the House.

Mr. MILLER of Connecticut. If the gentleman will yield further, in line 6 on page 16 appear the words "other than a flood-control type dam." Does that mean that that particular reservoir can be used for nothing but flood control?

Mr. WHITTINGTON. It means just what it says. That is a flood-control dam.

Mr. MILLER of Connecticut. They cannot generate power there?

Mr. WHITTINGTON. No; you cannot generate power because it is for flood control and not for power. It is not a multiple-purpose project.

Mr. MILLER of Connecticut. There will be no units built into the dam?

Mr. WHITTINGTON. I do not know what will happen hereafter, but under this bill there cannot be so built.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WHITTINGTON, Mr. JENKINS, Mr. CASE, and Mr. REED of New York asked and were given permission to revise and extend their remarks.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

(Mr. GAMBLE, Mr. MILLER of Connecticut, and Mr. CHENOWETH asked and were granted permission to revise and extend their remarks.)

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent that the remarks I have just made appear after the remarks of my colleague the gentleman from New York [Mr. REED].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ESTABLISHING DENTAL CORPS OF THE NAVY

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4216) to provide more efficient dental care for the personnel of the United States Navy, a rule having been previously granted.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4216) to provide more efficient dental care for the personnel of the United States Navy, with Mr. HARRIS in the chair.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill and that the bill and committee amendment be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The bill is as follows:

Be it enacted, etc., That (1) the Secretary of the Navy be authorized and directed, no later than 60 days after this act becomes law, to establish a Dental Department in the Navy, which shall function under the Surgeon General as is now provided in the case of the Medical Department.

(2) To provide that the functions of the Dental Department shall be of such professional, technical, and administrative nature as pertain to the conduct of the naval dental service, including cooperation with the Medical Department in all matters of mutual interest and cognizance.

(3) To provide that personnel of the Dental Department shall consist of (a) officers of the Dental Corps, one of whom shall serve as Director of Dentistry and be directly responsible to the Surgeon General for the administration of dental affairs within the Bureau of Medicine and Surgery; (b) chief warrant and warrant officers in numbers not exceeding 5 percent of the total number of officers of the Dental Corps; (c) enlisted personnel in such ratings and distribution by pay grades within the ratings and in such numbers not to exceed 166 percent of the total number of dental officers, as may be prescribed by the Secretary of the Navy: *Provided further,* That nothing stated herein shall act to reduce the grade or rank of any person.

(4) To provide that the Director of Dentistry shall be appointed by the President from dental officers on active duty and that the Director of Dentistry shall, while so serving, have the rank of rear admiral.

(5) This act to take effect immediately upon its approval by the President.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Navy shall within 6 months after the date of enactment of this act reorganize the Bureau of Medicine and Surgery in accordance with the provisions hereof.

"SEC. 2. The functions of the Medical Corps and those of the Dental Corps shall each be defined and prescribed by regulations of the Secretary of the Navy, and each such corps shall have a director, who shall be responsible to the Chief of the Bureau of Medicine and Surgery.

"SEC. 3. An officer of the Medical Corps of the Navy shall be detailed as the Director of the Medical Corps, and an officer of the Dental Corps of the Navy shall be detailed as the Director of the Dental Corps. Such officers, while so serving, shall have the rank, pay, and allowances of a rear admiral. No provisions of this act shall be construed to reduce the rank or pay of any person.

"SEC. 4. The Secretary of the Navy shall provide by regulations for establishing on ships and on shore stations dental services to be administered under the senior dental officer who shall be responsible directly to the commanding officer of such ship or shore station for all professional, technical, and administrative matters in connection therewith.

"SEC. 5. The Secretary of the Navy shall provide by regulations for a suitable number of dental technicians of appropriate ratings and ranks, and for their training, detail, retention, supervision, and direction by appropriate dental officers in carrying out the provisions of this act.

"SEC. 6. In carrying out the provisions hereof, the Secretary of the Navy shall consult with the Chief of Naval Operations and shall not impose any administrative requirements hereunder on combatant ships or in combatant areas ashore which would interfere with the proper functioning of battle organizations.

"SEC. 7. All laws and parts of laws in conflict herewith are hereby repealed."

Mr. VINSON of Georgia. Mr. Chairman, in view of the fact that this bill was reported to the House by the distinguished member of the Committee on Naval Affairs the gentleman from South Carolina [Mr. RIVERS] I now yield 15 minutes to him.

[Mr. RIVERS addressed the Committee. His remarks appear in the Appendix of today's RECORD.]

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 15 minutes and I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. VINSON]?

There was no objection.

Mr. VINSON of Georgia. Mr. Chairman, the compensation of Senators, Representatives, the Vice President, Speaker, and members of the President's Cabinet have not been increased for 20 years. The last increase occurred in 1925, when the salaries of Senators and Members were raised from \$7,500 to \$10,000—an increase of one-third. The last increase previous to that occurred in 1907—13 years earlier—when such salaries were raised from \$5,000 to \$7,500—an increase of 50 percent.

The salaries of the Vice President, Speaker, and members of the Cabinet were increased from \$12,000 to \$15,000 in

1925—an increase of 25 percent—but have not been increased since.

The salary of the President of the United States was fixed at \$75,000 a year in 1909, having been raised from \$50,000—an increase of 50 percent.

When the salary of the President was fixed at \$75,000 a year in 1909, it was not subject to tax either under Federal or State law. Under the Revenue Act of 1932, it was provided that the salary of Presidents taking office after June 6, 1932, should be subject to Federal income tax, and I quote from that act:

All acts fixing the compensation of such Presidents * * * are hereby amended accordingly.

Thus in 1932 the salary of the President was actually reduced, and has been further reduced every time the income tax rates have been increased. At the present time the Federal tax on the President's salary is approximately \$48,000. When the Public Salary Tax Act of 1939 was enacted, the salary of the President was also made subject to State income tax. Thus the real salary for this great office of President of the United States has been actually reduced from \$75,000 in 1932, to less than \$27,000 at the present time.

I have today introduced a bill providing for a salary of \$100,000 a year for the President, \$20,000 a year for the Vice President, Speaker, and members of the President's Cabinet, and \$15,000 a year for Members of the Congress.

The salaries of Members of Congress have, of course, been subject to Federal income tax ever since the income tax has been in effect. But the effect of an increasing tax rate on a person whose salary is fixed by law is too often not fully appreciated. When the salary of Members was increased to \$10,000 in 1925, the tax which the Member had to pay on that \$10,000, if he was married with no dependents, was approximately \$220. At the present time the salary is still \$10,000, but the Federal tax on that same Member is approximately \$2,500. In addition the Member is subject to State income taxes by reason of the Public Salary Tax Act of 1939.

The case for a consideration of the adequacy of the compensation of the officials specified proceeds from several standpoints. First and foremost, What is the job worth, considering its duties and responsibilities? Second, if the job is worth more than the salary presently attached to it, should the fact that the country is at war act as a bar to paying what it is worth?

Taking up the various officers mentioned, one by one, the office of President of the United States is now the most powerful and most responsible office in the entire world. And yet the salary attached to that office is less than that received by many vice presidents and assistant vice presidents of private banks and industrial concerns. It is much less than the yearly earnings of Frank Sinatra. Many lawyers, doctors, and other professional people, whose names I dare say would not be recognized by a single Member of this House, unless it be the Member from the same district, receive more than \$75,000 a year. Read the

names and salaries released from time to time by the Treasury Department of those who reported salaries in excess of \$75,000. I do not wish to criticize any of those salaries, although some of us here may believe them to be too high and so state at the proper time. I mention them merely to indicate that in comparison with policymaking positions outside of the Government, the present salary attached to the great office of President of the United States is meager.

The two next highest offices in the United States are those of Vice President and Speaker of the House of Representatives, and what is their salary? Fifteen thousand dollars a year, which is \$25,000 less than that paid to the mayor of New York City. The Cabinet members, those whose duty it is to advise the President on all of the matters coming within the jurisdiction of their respective departments, and give the best advice thereon that it is possible to secure, likewise are paid a mere \$15,000 a year. I would venture to say that in every town in the United States having a population of 10,000 or so persons there are many people whose capabilities and responsibilities command \$15,000 a year.

Coming to the Congress itself, as I previously stated, in 1909, the salary was raised from \$5,000 to \$7,500 a year. It remained at \$7,500 until 1925, when it was increased to \$10,000 a year. At that time Congress met in December, adjourned usually in June, and every second year had the short session from December to the succeeding March, and then adjourned until the following December. Since that time not only has the "lame duck" amendment become part of the Constitution, doing away with the short session, but the duties and responsibilities of the Congress have immeasurably increased. In recent years the Federal Government, both legislatively and administratively, has greatly increased the scope of its activities. New economic and social problems, having vast implications and far-reaching consequences, have demanded solution by the Federal Government. At this very moment the rôle of leadership in world affairs which the United States is destined to assume at the conclusion of the present war will call for the solution, both by the Congress and the Executive, of tremendous new problems.

Thus we come to the main question: In view of these tremendous new responsibilities and duties and the necessity of securing the best brains that can be found to undertake them, what are these officers worth?

What kind of a Congress do you want? What kind of a Congress do your constituents want? Do they want a Congress whose ability and dignity is equal to that of the other two branches of the Federal Government—a Congress which commands the respect not only of our own people but that of people all over the world? In my opinion, the kind of Congress which our people are entitled to have is a Congress composed of men who are willing to come here at some personal sacrifice in order to render public service, and we should fix the salary at a

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[PUBLIC LAW 534—78TH CONGRESS]

[CHAPTER 665—2D SESSION]

[H. R. 4485]

AN ACT

Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, In connection with the exercise of jurisdiction over the rivers of the Nation through the construction of works of improvement, for navigation or flood control, as herein authorized, it is hereby declared to be the policy of the Congress to recognize the interests and rights of the States in determining the development of the watersheds within their borders and likewise their interests and rights in water utilization and control, as herein authorized to preserve and protect to the fullest possible extent established and potential uses, for all purposes, of the waters of the Nation's rivers; to facilitate the consideration of projects on a basis of comprehensive and coordinated development; and to limit the authorization and construction of navigation works to those in which a substantial benefit to navigation will be realized therefrom and which can be operated consistently with appropriate and economic use of the waters of such rivers by other users.

In conformity with this policy:

(a) Plans, proposals, or reports of the Chief of Engineers, War Department, for any works of improvement for navigation or flood control not heretofore or herein authorized, shall be submitted to the Congress only upon compliance with the provisions of this paragraph (a). Investigations which form the basis of any such plans, proposals, or reports shall be conducted in such a manner as to give to the affected State or States, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and, to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. If such investigations in whole or part are concerned with the use or control of waters arising west of the ninety-seventh meridian, the Chief of Engineers shall give to the Secretary of the Interior, during the course of the investigations, information developed by the investigations and also opportunity for consultation regarding plans and proposals, and to the extent deemed practicable by the Chief of Engineers, opportunity to cooperate in the investigations. The relations of the Chief of Engineers with any State under this paragraph (a) shall be with the Governor of the State or such official or agency of the State as the Governor may designate. The term "affected State or States" shall include those in which the works or any part thereof are proposed to be located; those which in whole or part are both within the drainage basin involved and situated in a State lying wholly or in part west of the ninety-eighth meridian; and such of those which are east of the ninety-eighth

meridian as, in the judgment of the Chief of Engineers, will be substantially affected. Such plans, proposals, or reports and related investigations shall be made to the end, among other things, of facilitating the coordination of plans for the construction and operation of the proposed works with other plans involving the waters which would be used or controlled by such proposed works. Each report submitting any such plans or proposals to the Congress shall set out therein, among other things, the relationship between the plans for construction and operation of the proposed works and the plans, if any, submitted by the affected States and by the Secretary of the Interior. The Chief of Engineers shall transmit a copy of his proposed report to each affected State, and, in case the plans or proposals covered by the report are concerned with the use or control of waters which rise in whole or in part west of the ninety-seventh meridian, to the Secretary of the Interior. Within ninety days from the date of receipt of said proposed report, the written views and recommendations of each affected State and of the Secretary of the Interior may be submitted to the Chief of Engineers. The Secretary of War shall transmit to the Congress, with such comments and recommendations as he deems appropriate, the proposed report together with the submitted views and recommendations of affected States and of the Secretary of the Interior. The Secretary of War may prepare and make said transmittal any time following said ninety-day period. The letter of transmittal and its attachments shall be printed as a House or Senate document.

(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes.

(c) The Secretary of the Interior, in making investigations of and reports on works for irrigation and purposes incidental thereto shall, in relation to an affected State or States (as defined in paragraph (a) of this section), and to the Secretary of War, be subject to the same provisions regarding investigations, plans, proposals, and reports as prescribed in paragraph (a) of this section for the Chief of Engineers and the Secretary of War. In the event a submission of views and recommendations, made by an affected State or by the Secretary of War pursuant to said provisions, sets forth objections to the plans or proposals covered by the report of the Secretary of the Interior, the proposed works shall not be deemed authorized except upon approval by an Act of Congress; and subsection 9 (a) of the Reclamation Project Act of 1939 (53 Stat. 1187) and subsection 3 (a) of the Act of August 11, 1939 (53 Stat. 1418), as amended, are hereby amended accordingly.

SEC. 2. That the words "flood control" as used in section 1 of the Act of June 22, 1936, shall be construed to include channel and major drainage improvements, and that hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary

of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by Act of Congress.

SEC. 3. That section 3 of the Act approved June 22, 1936 (Public, Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this Act, except that for any channel improvement or channel rectification project provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, and except as otherwise provided by law: *Provided*, That the authorization for any flood-control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the War Department of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of War that the required cooperation will be furnished.

SEC. 4. The Chief of Engineers, under the supervision of the Secretary of War, is authorized to construct, maintain, and operate public park and recreational facilities in reservoir areas under the control of the War Department, and to permit the construction, maintenance, and operation of such facilities. The Secretary of War is authorized to grant leases of lands, including structure or facilities thereon, in reservoir areas for such periods and upon such terms as he may deem reasonable: *Provided*, That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted without monetary consideration, to such agencies for the use of areas suitable for public park and recreational purposes, when the Secretary of War determines such action to be in the public interest. The water areas of all such reservoirs shall be open to public use generally, without charge, for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary. No use of any area to which this section applies shall be permitted which is inconsistent with the laws for the protection of fish and game of the State in which such area is situated. All moneys received for leases or privileges shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Rate schedules shall be drawn having regard to the recovery (upon the basis of the application of such rate schedules to the capacity

of the electric facilities of the projects) of the cost of producing and transmitting such electric energy, including the amortization of the capital investment allocated to power over a reasonable period of years. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized, from funds to be appropriated by the Congress, to construct or acquire, by purchase or other agreement, only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies. All moneys received from such sales shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 6. That the Secretary of War is authorized to make contracts with States, municipalities, private concerns, or individuals, at such prices and on such terms as he may deem reasonable, for domestic and industrial uses for surplus water that may be available at any reservoir under the control of the War Department: *Provided*, That no contracts for such water shall adversely affect then existing lawful uses of such water. All moneys received from such contracts shall be deposited in the Treasury of the United States as miscellaneous receipts.

SEC. 7. Hereafter, it shall be the duty of the Secretary of War to prescribe regulations for the use of storage allocated for flood control or navigation at all reservoirs constructed wholly or in part with Federal funds provided on the basis of such purposes, and the operation of any such project shall be in accordance with such regulations: *Provided*, That this section shall not apply to the Tennessee Valley Authority, except that in case of danger from floods on the Lower Ohio and Mississippi Rivers the Tennessee Valley Authority is directed to regulate the release of water from the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the War Department.

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization Act; and, within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing: *Provided*,

That this section shall not apply to any dam or reservoir heretofore constructed in whole or in part by the Army engineers, which provides conservation storage of water for irrigation purposes.

SEC. 9. (a) The general comprehensive plans set forth in House Document 475 and Senate Document 191, Seventy-eighth Congress, second session, as revised and coordinated by Senate Document 247, Seventy-eighth Congress, second session, are hereby approved and the initial stages recommended are hereby authorized and shall be prosecuted by the War Department and the Department of the Interior as speedily as may be consistent with budgetary requirements.

(b) The general comprehensive plan for flood control and other purposes in the Missouri River Basin approved by the Act of June 28, 1938, as modified by subsequent Acts, is hereby expanded to include the works referred to in paragraph (a) to be undertaken by the War Department; and said expanded plan shall be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers.

(c) Subject to the basin-wide findings and recommendations regarding the benefits, the allocations of costs and the repayments by water users, made in said House and Senate documents, the reclamation and power developments to be undertaken by the Secretary of the Interior under said plans shall be governed by the Federal Reclamation Laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except that irrigation of Indian trust and tribal lands, and repayment therefor, shall be in accordance with the laws relating to Indian lands.

(d) In addition to previous authorizations there is hereby authorized to be appropriated the sum of \$200,000,000 for the partial accomplishment of the works to be undertaken under said expanded plans by the Corps of Engineers.

(e) The sum of \$200,000,000 is hereby authorized to be appropriated for the partial accomplishment of the works to be undertaken under said plans by the Secretary of the Interior.

SEC. 10. That the following works of improvement for the benefit of navigation and the control of destructive flood waters and other purposes are hereby adopted and authorized in the interest of the national security and with a view toward providing an adequate reservoir of useful and worthy public works for the post-war construction program, to be prosecuted under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this Act to be constructed by the War Department during the war, with funds from appropriations heretofore or hereafter made for flood control, so as to be ready for rapid inauguration of a post-war program of construction: *Provided further*, That when the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydro-

electric power shall be installed in any dam authorized in this Act for construction by the War Department when approved by the Secretary of War on the recommendation of the Chief of Engineers and the Federal Power Commission.

LAKE CHAMPLAIN BASIN

Modifications of the existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin, Vermont, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 629, Seventy-eighth Congress, second session, at an estimated cost of \$2,120,000.

BLACKSTONE RIVER BASIN

The project for the West Hill Reservoir on the West River, Massachusetts, for flood control and other purposes in the Blackstone River Basin is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$1,070,000.

The project on Blackstone River for local flood protection at Worcester, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$2,232,000.

The project on Blackstone River for local flood protection at Woonsocket, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$803,000.

The project on Seekonk River, for local flood protection at Pawtucket, Rhode Island, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 624, Seventy-eighth Congress, second session, at an estimated cost of \$82,000.

CONNECTICUT RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$30,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved August 18, 1941, for the Connecticut River Basin: *Provided*, Nothing in this Act or in any previous authorization shall be construed to authorize the construction of a dam, other than a flood control type dam, on the main stream of the West River in the towns of Dummerston or Newfane in the State of Vermont: *Provided further*, That the Army Engineers are authorized and directed to construct eight reservoirs in the West River Basin in Vermont instead of the flood control reservoir authorized by existing law, known as the Williamsville Reservoir in the above mentioned towns, in accordance with an alternative plan submitted by the Vermont State Water Conservation Board as the same may be modified by agreement between the said Board and the Secretary of War and the Chief of Engineers,

provided that the Secretary of War determines that the total costs of the alternate plan shall not exceed the sum of \$11,000,000 and that the amount of flood control secured by them at the entrance of the waters of the West River into the Connecticut River shall not be less than seventy-five per centum of the flood control which may be secured from the single so-called Williamsville Reservoir now authorized to be constructed by the Army Engineers: Plans, proposals, or reports heretofore authorized for construction at Cambridgeport, Ludlow, South Tunbridge, and Gaysville, in the Connecticut River Basin, or any modification hereafter made of the comprehensive plan for the Connecticut River Basin in Vermont under authority of the Flood Control Act approved June 28, 1938, or of section 3 of the Flood Control Act approved August 18, 1941, shall not be carried out until after compliance with the provisions of paragraph (a) of section 1 of this Act: *Provided further*, That neither this authorization nor any previous authorization shall be construed to authorize the construction of a dam or reservoir at the Sugar Hill site on the Ammonoosuc River.

THAMES RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for the Thames River Basin at an estimated cost of \$7,200,000.

HOUSATONIC RIVER BASIN

The project for the Thomaston Reservoir on the Naugatuck River, for flood control in the Housatonic River Basin, Connecticut, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 338, Seventy-seventh Congress, first session, at an estimated cost of \$5,151,000.

SUSQUEHANNA RIVER BASIN

The project authorized by the Act of June 22, 1936, to provide for local protection works on the Susquehanna River at Harrisburg, Pennsylvania, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 702, Seventy-seventh Congress, second session, at an estimated cost of \$2,227,000.

The project for flood protection at Tyrone, Pennsylvania, on the Little Juniata River, Pennsylvania, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 702, Seventy-seventh Congress, second session, at an estimated cost of \$1,392,000.

The plan for flood control in southern New York and eastern Pennsylvania authorized by the Act of June 22, 1936, as modified by the Act of August 18, 1941, is hereby further modified to include the South Plymouth and Genegantslet Reservoirs on tributaries of the Chenango River substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 702, Seventy-seventh Congress, second session, at an estimated additional cost of \$4,755,000.

ROANOKE RIVER BASIN

The general plan for the comprehensive development of the Roanoke River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 650, Seventy-eighth Congress, second session, is approved and the construction of the Buggs Island Reservoir on the Roanoke River in Virginia and North Carolina, and the Philpott Reservoir on the Smith River in Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$36,140,000.

EDISTO RIVER BASIN

The project for local flood control on Edisto River, South Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 182, Seventy-eighth Congress, second session, at an estimated cost of \$139,000.

SAVANNAH RIVER BASIN

The general plan for the comprehensive development of the Savannah River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document Numbered 657, Seventy-eighth Congress, second session, is approved and the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of \$35,300,000.

MOBILE RIVER BASIN—ALABAMA-COOSA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the Allatoona Reservoir on the Etowah River, Georgia, approved in the Act of August 18, 1941, at an estimated cost of \$14,400,000.

LOWER MISSISSIPPI RIVER

The project for flood control and improvement of the Lower Mississippi River adopted by the Act of May 15, 1928, as amended by subsequent Acts of Congress, is hereby modified in accordance with the recommendations of the Chief of Engineers in House Document Numbered 509, Seventy-eighth Congress, second session, and, as modified, is hereby adopted and there is hereby authorized to be appropriated, in addition to the sums previously authorized, \$200,000,000 for the accomplishment of the purposes set forth in said document.

Paragraph (d) of the Lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is hereby construed to authorize reimbursement for the actual market value of lands, rights-of-way, and easements, furnished subsequent to August 18, 1941, for set-backs of main-line Mississippi River levees, regardless of State laws limiting payments to local tax assessment valuations.

The project for flood control on the Boeuf and Tensas Rivers and Bayou Macon, Arkansas and Louisiana, is hereby authorized sub-

stantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 151, Seventy-eighth Congress, second session, at an estimated cost of \$5,013,000.

The project for flood control on the Big Sunflower, Little Sunflower, Hushpuckena, and Quiver Rivers and their tributaries, and on Hull Brake-Mill Creek Canal, Bogue Phalia, Ditchlow Bayou, Deer Creek, and Steele Bayou, Mississippi, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 516, Seventy-eighth Congress, second session, at an estimated cost of \$3,752,000.

The project for flood protection in the backwater area of the Yazoo River authorized in the Flood Control Act of August 18, 1941, is hereby amended to authorize the Chief of Engineers, in his discretion, to include improvements for the protection of the Satartia area at an estimated additional cost of \$1,061,000 or, in his discretion, to include improvements for the protection of the Satartia area plus its extension at an estimated additional cost of \$1,952,000.

RED-OUACHITA RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for the Little Missouri River in Arkansas, at an estimated cost of \$3,800,000.

The project on Red River in the vicinity of Shreveport, Louisiana, for flood control and bank protection is hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 627, Seventy-eighth Congress, second session, at an estimated cost of \$3,000,000, except that, in view of the large expenditure already made by local interests, they shall not be required to contribute to the construction cost.

The project for the Blakely Mountain Dam on the Ouachita River, for flood control and other purposes in the Ouachita River Basin, Arkansas, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 647, Seventy-eighth Congress, second session, at an estimated cost of \$11,080,000.

ARKANSAS RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$35,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved August 18, 1941, for the Arkansas River Basin.

The projects for local flood protection on the Arkansas River are hereby modified and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 447, Seventy-eighth Congress, second session, at an estimated additional cost of \$10,299,400.

The project on tributaries of the Fountaine Que Bouille River for flood protection at Colorado Springs, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 186, Seventy-eighth Congress, first session, at an estimated cost of \$500,000.

The project on Purgatoire River for local flood protection at Trinidad, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 387, Seventy-eighth Congress, second session, at an estimated cost of \$909,000.

WHITE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$45,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved August 18, 1941, for the White River Basin.

UPPER MISSISSIPPI RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Upper Mississippi River Basin, including the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Seventy-eighth Congress, second session, at an estimated cost of \$15,000,000.

The project authorized by the Act of June 22, 1936, for local flood protection on the Mississippi River at the Sainte Genevieve Levee District Numbered 1, Missouri, is hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 727, Seventy-seventh Congress, second session, at an estimated cost of \$141,000.

The project on the Des Moines River for local flood protection of Des Moines, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 651, Seventy-eighth Congress, second session, at an estimated cost of \$270,000.

The project on the Mississippi River for local flood protection at Sabula, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 328, Seventy-seventh Congress, first session, at an estimated cost of \$25,000.

The project on the Galena River, for local flood protection at Galena, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 336, Seventy-seventh Congress, first session, at an estimated cost of \$418,000.

The project for flood control on the Illinois River is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 692, Seventy-seventh Congress, second session, at an estimated cost of \$111,500.

The project for flood control on Farm Creek, Illinois, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 802, Seventy-eighth Congress, second session, at an estimated cost of \$3,017,900.

The project on Elk Creek and Turkey River for local flood protection at Elkport, Iowa, is hereby authorized substantially in

accordance with the recommendations of the Chief of Engineers in House Document Numbered 700, Seventy-seventh Congress, second session, at an estimated cost of \$13,000.

RED RIVER OF THE NORTH BASIN

The projects for flood control for Red Lake River, Minnesota, including Clearwater River, Minnesota, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 345, Seventy-eighth Congress, first session, at an estimated cost of \$902,940.

The project for the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes in the Sheyenne River Basin, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 193, Seventy-eighth Congress, second session, at an estimated cost of \$810,000.

The projects for the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin, North Dakota, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 565, Seventy-eighth Congress, second session, at an estimated cost of \$333,800.

The project for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 194, Seventy-eighth Congress, second session, at an estimated cost of \$358,610.

MISSOURI RIVER BASIN

The project adopted by the Act of June 22, 1936, to provide flood protection for the Kansas Citys, Kansas and Missouri, is hereby modified and extended to provide for improvement substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 342, Seventy-eighth Congress, first session, at an estimated additional cost for the modified project of \$8,445,000.

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for Cherry Creek and tributaries, Colorado, at an estimated cost of \$7,500,000.

The project on Knife River for local flood control at Beulah, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 252, Seventy-eighth Congress, first session, at an estimated cost of \$26,100.

The project on Knife River for local flood control at Hazen, North Dakota, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 252, Seventy-eighth Congress, first session, at an estimated cost of \$6,600.

The project on Milk River adopted by the Act of June 22, 1936, to provide local flood protection at Harlem, Montana, is hereby

modified substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 103, Seventy-eighth Congress, first session, at an estimated cost of \$21,100.

The project on Milk River for local flood protection at Havre, Montana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 103, Seventy-eighth Congress, first session, at an estimated cost of \$313,100.

The project on Boyer River for local flood control on East Fork of Boyer River at Denison, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 254, Seventy-eighth Congress, first session, at an estimated cost of \$17,830.

The project on Nishnabotna River for local flood control at Hamburg, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 253, Seventy-eighth Congress, first session, at an estimated cost of \$236,000.

The plan of improvement for local flood protection on the Chariton River, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 628, Seventy-eighth Congress, second session, at an estimated cost of \$1,610,300.

The project on Bear Creek for local flood protection at Morrison, Colorado, is hereby authorized substantially in accordance with recommendations of the Chief of Engineers in House Document Numbered 356, Seventy-eighth Congress, first session, at an estimated cost of \$220,000.

OHIO RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$70,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, as modified by the Act approved August 18, 1941, for the Ohio River Basin, including the following projects in tributary basins, namely:

The local flood protection works in the Lake Chautauqua and Chadakoin River area, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 685, Seventy-seventh Congress, second session, at an estimated cost of \$135,500;

The local flood protection works at Dillonvale and Adena on Short Creek, Ohio, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 889, Seventy-seventh Congress, second session, at an estimated cost of \$158,200;

The local flood protection works at Taylorsville on Salt River, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 105, Seventy-eighth Congress, first session, at an estimated cost of \$129,350;

The local flood protection works at Latrobe on Loyalhanna Creek, Pennsylvania, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 444, Seventy-eighth Congress, second session, at an estimated cost of \$112,500;

The plan of improvement for flood control and other purposes in the Kentucky River Basin, substantially in accordance with the rec-

ommendations of the Chief of Engineers in House Document Numbered 504, Seventy-eighth Congress, second session, at an estimated cost of \$23,822,000;

The local flood protection works at Middlesborough on Yellow Creek, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 495, Seventy-eighth Congress, second session, at an estimated cost of \$205,200;

The local flood protection works on the Rough River and tributaries, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 535, Seventy-eighth Congress, second session, at an estimated cost of \$360,000;

The Turtle Creek Reservoir on Turtle Creek, Pennsylvania, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 507, Seventy-eighth Congress, second session, at an estimated cost of \$2,613,000;

The Burr Oak Reservoir on the Hocking River, Ohio, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 762, Seventy-seventh Congress, second session, at an estimated cost of \$400,000.

Neither this authorization nor any previous authorization shall be construed to authorize the construction of the Shoals Dam on the East Fork of the White River in Martin County, Indiana, pending submission and adoption by Congress of the report authorized in the Flood Control Act of August 11, 1939.

That the general comprehensive plan for flood control and other purposes, approved in the Flood Control Act of June 28, 1938, for the Ohio River Basin, is hereby modified to include the construction of flood-control works for the protection of Ridgway, Johnsonburg, Saint Marys, and Brockway and vicinity in the State of Pennsylvania.

GREAT LAKES BASIN

The project for the Panther Mountain Reservoir on Moose River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 405, Seventy-seventh Congress, first session, at an estimated cost of \$600,000.

The project for flood control on Chittenango Creek and tributaries, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 625, Seventy-seventh Congress, second session, at an estimated cost of \$111,000.

The projects for flood control on Owasco Inlet and Outlet, Montville and Dry Creeks, State Ditch, and Crane Brook, New York, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 815, Seventy-seventh Congress, second session, at an estimated cost of \$64,200.

The project for the Mount Morris Reservoir on the Genesee River, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 615, Seventy-eighth Congress, second session, at an estimated cost of \$5,360,000.

COLORADO RIVER BASIN (TEXAS)

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for the North Concho River, Texas, at an estimated cost of \$4,800,000.

In addition to previous authorizations, there is hereby authorized the completion of the plan approved in the Act of August 18, 1941, for Pecan Bayou, Texas, at an estimated cost of \$1,560,000.

BRAZOS RIVER BASIN

In addition to previous authorizations, there is hereby authorized the completion of Whitney Reservoir in accordance with the plan approved in the Act of August 18, 1941, for the Brazos River Basin, at an estimated cost of \$15,000,000.

RIO GRANDE BASIN

The project on Willow Creek for local flood protection at Creede, Colorado, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 104, Seventy-eighth Congress, first session, at an estimated cost of \$68,500.

GREAT SALT BASIN

The project on the Sevier River for local flood protection at Redmond, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 614, Seventy-eighth Congress, second session, at an estimated cost of \$281,000.

COLORADO RIVER BASIN

The project for the Alamo Reservoir on the Bill Williams River, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 625, Seventy-eighth Congress, second session, at an estimated cost of \$3,202,000.

The project on the Little Colorado River for local flood protection at Holbrook, Arizona, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 648, Seventy-eighth Congress, second session, at an estimated cost of \$258,000.

SAN DIEGO RIVER BASIN

The project on the San Diego River for local flood protection at San Diego, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 635, Seventy-seventh Congress, second session, at an estimated cost of \$370,000.

VENTURA RIVER BASIN

The projects on the Ventura River and tributaries for local flood protection at Ventura and Ojai, California, are hereby authorized

substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 323, Seventy-seventh Congress, first session, at an estimated cost of \$1,600,000.

SANTA ANA RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$10,000,000 for the prosecution of the projects approved in the Act of June 22, 1936, as modified by the Act of June 28, 1938, for the Santa Ana River Basin and for the protection of Orange County, California, including the projects on Lytle and Cajon Creeks for local flood protection at San Bernardino and Colton, California, in accordance with the recommendations contained in the report of the Chief of Engineers dated February 11, 1944.

LOS ANGELES-SAN GABRIEL BASIN AND BALLONA CREEK

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$25,000,000 for the prosecution of the comprehensive plan approved in the Act of August 18, 1941, for Los Angeles and San Gabriel Rivers and Ballona Creek, California.

PAJARO RIVER BASIN

The plan of improvement for local flood protection on the Pajaro River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 505, Seventy-eighth Congress, second session, at an estimated cost of \$511,160.

SACRAMENTO-SAN JOAQUIN RIVER BASIN

SACRAMENTO RIVER

The projects for the control of floods and other purposes on the Sacramento River, California, adopted by the Acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 649, Seventy-eighth Congress, second session, at an estimated cost of \$50,100,000; and in addition to previous authorizations there is hereby authorized to be appropriated the sum of \$15,000,000 for the prosecution of the modified projects: *Provided*, That this modification of the project shall not be construed to authorize the construction of a high dam at the Table Mountain site but shall authorize only the low-level project to approximately the elevation of four hundred feet above mean sea level, said low-level dam to be built on a foundation sufficient for such dam and not on a foundation for future construction of a higher dam.

The project for the Folsom Reservoir on the American River, California, is hereby authorized substantially in accordance with the plans contained in House Document Numbered 649, Seventy-eighth Congress, second session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of \$18,474,000.

SAN JOAQUIN RIVER

The project for the Isabella Reservoir on the Kern River for flood control and other purposes in the San Joaquin Valley, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in his report dated January 26, 1944, contained in House Document Numbered 513, Seventy-eighth Congress, second session, at an estimated cost of \$6,800,000.

The plan for the Terminus and Success Reservoirs on the Kaweah and Tule Rivers for flood control and other purposes in the San Joaquin Valley, California, in accordance with the recommendations of the Chief of Engineers in Flood Control Committee Document Numbered 1, Seventy-eighth Congress, second session, is approved, and there is hereby authorized \$4,600,000 for initiation and partial accomplishment of the plan.

The project for flood control and other purposes for the Kings River and Tulare Lake Basin, California, is hereby authorized substantially in accordance with the plans contained in House Document Numbered 630, Seventy-sixth Congress, third session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable at an estimated cost of \$19,700,000: *Provided*, That the conditions of local cooperation specified in said document shall not apply: *Provided further*, That the Secretary of War shall make arrangements for payment to the United States by the State or other responsible agency, either in lump sum or annual installments, for conservation storage when used: *Provided further*, That the division of costs between flood control, and irrigation and other water uses shall be determined by the Secretary of War on the basis of continuing studies by the Bureau of Reclamation, the War Department, and the local organizations.

The plan of improvement for local flood protection on various streams in the Merced County Stream Group in the San Joaquin Valley is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 473, Seventy-eighth Congress, second session; at an estimated cost of \$1,300,000.

The plan of improvement for flood control and other purposes on the Lower San Joaquin River and tributaries, including Tuolumne and Stanislaus Rivers, in accordance with the recommendations of the Chief of Engineers in Flood Control Committee Document Numbered 2, Seventy-eighth Congress, second session, is approved, and there is hereby authorized \$8,000,000 for initiation and partial accomplishment of the plan.

The plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Seventy-eighth Congress, second session, at an estimated cost of \$3,868,200.

NAPA RIVER BASIN

The project for the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin, California, is hereby authorized substantially in accordance with the recommenda-

tions of the Chief of Engineers in House Document Numbered 626, Seventy-eighth Congress, second session, at an estimated cost of \$460,000.

COQUILLE RIVER BASIN

The project for flood protection on the Coquille River, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 620, Seventy-seventh Congress, second session, at an estimated cost of \$143,000.

NEHALEM RIVER BASIN

The project for flood protection on the Nehalem River, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 621, Seventy-seventh Congress, second session, at an estimated cost of \$23,000.

WILLAMETTE RIVER BASIN

In addition to previous authorizations, there is hereby authorized to be appropriated the sum of \$20,000,000 for the prosecution of the comprehensive plan approved in the Act of June 28, 1938, for the Willamette River Basin, with such modifications thereof as in the discretion of the Chief of Engineers may be advisable.

COLUMBIA RIVER BASIN

The projects on the Snake River for local flood protection at Heise, Roberts, and Weiser, Idaho, are hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 452, Seventy-seventh Congress, first session, at an estimated cost of \$743,000.

The projects on the Palouse River and tributaries for local flood protection at Pullman and Colfax, Washington, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 888, Seventy-seventh Congress, second session, at an estimated cost of \$478,000.

The project on Alkali Canyon for local flood protection at Arlington, Oregon, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 631, Seventy-seventh Congress, second session, at an estimated cost of \$118,000.

WILLAPA RIVER BASIN

The project on the Willapa River for local flood protection at Raymond, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 701, Seventy-seventh Congress, second session, at an estimated cost of \$127,000.

CHEHALIS RIVER BASIN

The project on Chehalis River for local flood protection at Hoquiam, Aberdeen, and Cosmopolis, Washington, is hereby

authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Nnmbered 494, Seventy-eighth Congress, second session, at an estimated cost of \$669,000.

TERRITORY OF HAWAII

The project on the Hanapepe River for local flood protection at Hanapepe, Island of Kauai, Territory of Hawaii, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on March 15, 1944, at an estimated cost of \$73,000.

SEC. 11. The Secretary of War is hereby authorized and directed to cause preliminary examinations and surveys for flood control and allied purposes, including channel and major drainage improvements, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its Territorial possessions, which include the following named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and waterflow retardation and soil-erosion prevention on such drainage areas; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That after the regular or formal reports made on any examination, survey, project, or work under way or proposed are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of War may cause a review of any examination or survey to be made and a report thereon submitted to the Congress if such review is required by the national defense or by changed physical or economic conditions: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Pasquotank River, North Carolina.

Chipola River, Alabama and Florida.

Waeasassa River and its tributaries, Florida, and of adjacent areas in Gilchrest and Levy Counties, Florida.

Oklawaha River and its tributaries, Florida, and of adjacent areas in Alachua and Marion Counties, Florida.

Clear Fork of the Mohican River, in Richland County, Ohio.

Hocking River in Hocking County, Ohio.

Leatherwood Creek, Ohio, with particular reference to flood control and water supply for Cambridge, Ohio.

For flood control, rice irrigation, navigation, pollution, salt-water intrusion, and drainage on all streams and bayous in southwest Louisiana, west of the West Atchafalaya Basin protection levee, and south of the latitude of Boyce; on all streams and bayous in Louisiana lying between the East Atchafalaya Basin protection levee and the Mississippi River; and on Amite River and tributaries, Louisiana.

Choctawhatchee River, Florida.

Scajaquada Creek and its tributaries, New York.

Susquehanna River in the vicinity of Endicott, Johnson City, and Vestal, New York.

Absecon Island, New Jersey, with a view to the protection of Atlantic City, Ventnor, Margate City, Longport, and other areas on

the New Jersey coast, that have been affected from floods due to tide and-wind.

Juniata River and tributaries, Pennsylvania, with special reference to the proposed Raystown Reservoir.

Rehoboth Beach, Bethany Beach, Lewes, and Fenwick Island, Delaware, and other points along the Delaware coast, with a view to providing protection against damage resulting from erosion and from floods due to wind and tide.

Buffalo River, Minnesota.

Wild Rice River, Minnesota.

Marsh River, Minnesota.

Sand Hill River, Minnesota.

Red Lake River, Minnesota.

Roseau River, Minnesota.

Snake River, Minnesota.

Middle River, Minnesota.

Tamarac River, Minnesota.

Two Rivers, Minnesota.

Warroad River and Bull Dog Creek, Minnesota.

Mississippi River and its tributaries, in the county of Aitkin, Minnesota.

Apple River, Jo Daviess County, Illinois.

Maumee River, Indiana and Ohio.

Indian Creek, Indiana.

Youghiogheny River Basin, Pennsylvania and Maryland.

Reno Beach, Lucas County, Ohio, with a view to protection of the Reno Beach-Howards Farm area and adjacent areas from floods caused by frequent windstorms and from increases in the lake level of Lake Erie.

Arkansas River above Pine Bluff, Arkansas, with special reference to control of caving banks in the vicinity of Hensley Bar and the McFadden Place, in Jefferson County, Arkansas.

Osage River, Missouri and Kansas.

Big Canyon on Washita River in Murray County, Oklahoma.

Deep Red Run in Tillman County, Oklahoma; Big Elk Creek, Little Elk Creek, Salt Fork, Elm Creek, Saddle Mountain, Turkey Creek, Oklahoma.

San Rafael Creek and its tributaries, California.

Napa River, California.

Grand River, South Dakota.

Moreau River, South Dakota.

Corte Madera Creek, Marin County, California.

Bayamon and Hondo Rivers and their tributaries, Municipality of Bayamon, Puerto Rico.

Elkhorn River and its tributaries, Nebraska.

SEC. 12. That the sum of \$950,000,000 is hereby authorized to be appropriated for carrying out the improvements herein by the War Department, the sum of \$10,000,000 additional is authorized to be appropriated and expended in equal amounts by the Departments of War and Agriculture for carrying out any examination or survey provided for in this Act and any other Acts of Congress, to be prosecuted by said Departments. The sum of \$1,500,000 additional is authorized to be appropriated and expended by the Federal Power Commission for carrying out any examinations and surveys provided

for in this Act or any other Acts of Congress, to be prosecuted by the said Federal Power Commission.

The sum of \$500,000 additional is authorized to be appropriated as an emergency fund to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers for the construction of emergency bank protection works to prevent flood damage to highways, bridge approaches and public works: *Provided*, That pending the appropriation of said sum the Secretary of War may allot from existing flood control appropriations such sums as may be necessary for the immediate prosecution of such bank protection works; such appropriations to be reimbursed from the appropriation herein authorized when made.

SEC. 13. That the following works of improvement for run-off and waterflow retardation, and soil-erosion prevention, are hereby adopted and authorized in the interest of the national security and with a view toward an adequate reservoir of useful and worthy public works for the post-war construction program to be prosecuted by the Department of Agriculture, under the direction of the Secretary of Agriculture, in accordance with the plans of the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans and preliminary work may be prosecuted during the war with funds from appropriations heretofore or hereafter made for such works so as to be ready for rapid inauguration of post-war construction: *Provided further*, That when the existing critical situation with respect to materials, equipment, and manpower, no longer exists and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *Provided further*, That nothing in this section shall be construed as approving or authorizing the acquisition of any land by the Federal Government until the legislature of the State in which the land lies shall have consented to the acquisition of lands by the United States for the purposes within the scope of this section: *Provided further*, That there shall be paid annually to the county in which any lands acquired under this section may lie, a sum equal to 1 per centum of the purchase price paid for the lands acquired in that county or, if not acquired by purchase, 1 per centum of their valuation at the time of their acquisition.

LOS ANGELES RIVER BASIN

The program on the Los Angeles River watershed is hereby approved substantially in accordance with the recommendation of the Under Secretary of Agriculture in House Document Numbered 426, Seventy-seventh Congress, first session, at an estimated cost to the United States of \$8,380,000.

SANTA YNEZ RIVER WATERSHED

The program on the Santa Ynez River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 518, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$434,000.

TRINITY RIVER BASIN (TEXAS)

The program on the Trinity River watershed is hereby approved substantially in accordance with the recommendation of the Secretary of Agriculture in House Document Numbered 708, Seventy-seventh Congress, second session, at an estimated cost to the United States of \$32,000,000.

LITTLE TALLAHATCHIE RIVER WATERSHED

The program on the Little Tallahatchie River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 892, Seventy-seventh Congress, second session, at an estimated cost to the United States of \$4,221,000.

YAZOO RIVER WATERSHED

The program on the Yazoo River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 564, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$21,700,000.

COOSA RIVER WATERSHED (ABOVE ROME, GEORGIA)

The program on the Coosa River watershed above Rome, Georgia, is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 236, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$1,233,000.

LITTLE SIOUX RIVER WATERSHED

The program on the Little Sioux River watershed is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document Numbered 268, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$4,280,000.

POTOMAC RIVER WATERSHED

The program on the Potomac River watershed is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document Numbered 269, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$859,000.

BUFFALO CREEK WATERSHED (NEW YORK)

BUFFALO, CAYUGA, AND CAZENOVIA CREEKS

The program on the watershed of Buffalo Creek and its tributaries, Cayuga, and Cazenovia Creeks, is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document Numbered 574, Seventy-eighth Congress, second session, at an estimated cost to the United States of \$739,000.

COLORADO RIVER WATERSHED (TEXAS)

The program on those portions of the Colorado River watershed included in the watersheds of Pecan Bayou, San Saba River, Brady Creek, and the area tributary to the main stream of the Colorado River below its confluence with the Concho River and above the mouth of Pecan Bayou, is hereby approved substantially in accordance with the recommendation of the Assistant Secretary of Agriculture in House Document Numbered 270, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$2,693,000.

WASHITA RIVER WATERSHED

The program on the Washita River watershed is hereby approved substantially in accordance with the recommendation of the Under Secretary of Agriculture in House Document Numbered 275, Seventy-eighth Congress, first session, at an estimated cost to the United States of \$11,243,000.

SEC. 14. That the balance remaining from the authorization of \$10,000,000 provided in section 7 of the Flood Control Act approved June 28, 1938, for the five-year period ending June 30, 1944, to correlate the program for the improvement of watersheds by the Department of Agriculture for measures of run-off and waterflow retardation and soil-erosion prevention on the watersheds with the program for the improvement of rivers and other waterways by the Department of War is hereby reauthorized to be expended during the post-war period by the Department of Agriculture for the prosecution of the work authorized in section 13 of this Act: *Provided*, That not more than 20 per centum of the authorization made available herein shall be expended on any one project.

SEC. 15. That section 7 of the Act of June 28, 1938 (Public, Numbered 761, Seventy-fifth Congress), is hereby amended by adding at the end of the first sentence thereof the following: "The Secretary of Agriculture is hereby authorized in his discretion to undertake such emergency measures for run-off retardation and soil-erosion prevention as may be needed to safeguard lives and property from floods and the products of erosion on any watershed whenever fire or any other natural element or force has caused a sudden impairment of that watershed: *Provided*, That not to exceed \$100,000 out of any funds heretofore or hereafter appropriated for the prosecution by the Secretary of Agriculture of works of improvement or measures for run-off and waterflow retardation and soil-erosion prevention on watersheds may be expended during any one fiscal year for such emergency measures."

Approved December 22, 1944.

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